

**SUFFOLK COUNTY LEGISLATURE**

**GENERAL MEETING**

**FIFTH DAY**

**MARCH 24, 2009**

**MEETING HELD AT THE WILLIAM H. ROGERS LEGISLATURE BUILDING  
IN THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM  
725 VETERANS MEMORIAL HIGHWAY  
SMITHTOWN, NEW YORK**

**MINUTES TAKEN BY  
LUCIA BRAATEN AND ALISON MAHONEY, COURT STENOGRAPHERS**

*[THE MEETING WAS CALLED TO ORDER AT 4:03 P.M.]*

**P.O. LINDSAY:**

Okay. Mr. Clerk, could you call the roll, please?

**MR. LAUBE:**

Yes, sir. Good morning, Mr. Presiding Officer.

**MS. ORTIZ:**

Good morning?

**(Roll Called by Mr. Laube, Clerk)**

**LEG. ROMAINE:**

Present.

**MR. LAUBE:**

Just feels like morning.

**LEG. SCHNEIDERMAN:**

Here.

**LEG. BROWNING:**

Here.

**LEG. BEEDENBENDER:**

Here.

**LEG. LOSQUADRO:**

Present.

**LEG. EDDINGTON:**

Here.

**LEG. MONTANO:**

Here.

**LEG. ALDEN:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

Here.

**LEG. HORSLEY:**

Here.

**LEG. GREGORY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

Here.

**D.P.O. VILORIA-FISHER:**

Here.

**P.O. LINDSAY:**

Here.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Could everybody rise for a salute to the flag, led by Legislator Losquadro?

*(\*Salutation\*)*

Please remain standing, and I'm going to ask Legislator Losquadro to introduce our visiting Clergy.

**LEG. LOSQUADRO:**

Thank you. It's my pleasure today to introduce to you Father Ignace Loleke. He has been with St. Louis deMontfort Roman Catholic Church for the past year-and-a-half. He'll be here with us for another year-and-a-half. He is a visiting clergy from the central most region of the Congo in Africa in a small town -- excuse me, I don't want to get this wrong, it's Nkamba. He has a Masters Degree in Theology, and next year he'll be attending Stony Brook University to obtain his second Masters in Sociology. He was thirteen years old the first time he entered a church. And all the parishioners that I've spoken to in St. Louis deMontfort, which is a very large parish in my District, really have the same thing to say about him and they say, "To know him is to love him." He is a wonderful part of our community, and it's my pleasure to introduce to you Father Ignace.

**(Applause)**

**FATHER IGNACE LOLEKE:**

I thank you very much, and thank you mostly for this privilege, this honor to be today before you, to pray with you before your General Meeting. We come to pray because you believe that there's nothing that can be beyond you in which, if we work together with faith and the confidence in God and in each other. So, as servants of the people of God in Suffolk County, we ask God's special grace to give you the grace of serenity, to accept the things that you cannot change, and through the grace of courage, to change the things that you can, and mostly the grace of wisdom, to make good decisions as you trust that God will always make everything right for the sake of his name and for the good of his people. So let us pray.

Almighty God, our Father, we come before your presence today to give you thanks for the gift of our lives, for your work of creation, and mostly for subjecting the Earth to the care of human person whom you choose to make in your own likeness. Lord, we thank you because you have been our help in times past. And we pray because you are our hope for years to come. Lord, our God, we pray for all groups as civil, political and the religious leaders, that with your divine assistance, they may continue to seek the well-being of the people they serve to eliminate poverty and to achieve peace in all human family.

Lord our God, we ask you to grant the light of your word, to give all around the world who decide and who make laws. At this time, especially, we pray for your servants of Suffolk County, all here together in mutual respect, trust, and care. They love you, oh, Lord, and they desire nothing but to love you and to serve you by serving your people of Suffolk County. For them, Lord, our God, we desire your wisdom above everything that can be desired, because we do not compare anything to your wisdom. For them, oh, Lord, we ask you the courage to accept and confront the challenges in meeting the needs of your people in Suffolk County. Lord, help them to respond quickly, wisely and effectively to each situation.

God, our Father, you give freely your wisdom to those you ask as you give to the King, your servant, Solomon. Help today our lawmakers to lean not into their own understanding, but in every occasion to acknowledge your presence among them, so that they may always make good decisions, decisions with knowledge, with understanding, with wisdom, with impartiality and justice, because, Lord, you desire justice for all. Let your Holy Spirit come upon them today, remain with them, and enlighten them. Let your Holy Spirit guide them with his wisdom and support them with his power, for your Holy Spirit shares your glory and the glory of your son, Jesus.

Lord, our God, may divinely inspired decision be on the lips of your servant today, and may they decide only what is right in your sight. Lord, our God, grant that the time, every time, every minute, every effort, every word today bring about unity of purpose, for the cause of your people of Suffolk County as they choose today to use your wisdom and to work with your wisdom. Thank you for being Almighty God, thank you for being our wonderful counselor. This we ask in the name of your son, Jesus, who lives and reigns with you in the Holy Spirit, one God forever and ever. Amen.

**P.O. LINDSAY:**

Could we all remain standing for a moment of silence? Over the last month, former Legislator and Presiding Officer, Anthony Noto, passed away. Legislator Noto served the Babylon area from 1974 to 1982, and as Presiding Officer from 1979 to 1980. And let us also remember all those men and women who put themselves in harm's way every day to protect our country.

*(\*Moment of Silence\*)*

Thank you. Good evening, everyone. I know that we have a large crowd here tonight. There are some seats. Anybody out in the lobby, there are some isolated seats. Please, come in and find a seat. Unfortunately, I can't have anybody standing in the aisles because of fire codes; all right? But there are some seats, and after some of the proclamations, I'm sure some people will be leaving, so keep an eye on everything.

First up, we have a number of proclamations. First is Legislator Losquadro; will present proclamations to the Rocky Point High School Cheerleaders.

**LEG. LOSQUADRO:**

Thank you, Mr. Presiding Officer. These young ladies have received a lot of recognition for what they've done, but we're asking them to come back up one more time here, the representatives that are here from the Rocky Point Cheerleading Squad. Where'd they go? Apparently, we were a little too full up, they all couldn't get seats. We're getting them to come back in now. Come on up here, Ladies.

*(Applause)*

I didn't even tell you guys what they did yet. They just look good. Well, if you remember from the last meeting, to my colleagues, I had the cheerleaders here from the Mount Sinai School District who placed eleventh in the nation. Well, these young ladies gave some serious bragging rights to the Sixth Legislative District, because they did a couple better. These young ladies placed ninth in the nation in their competition.

***(Applause)***

There was the UCA National Cheerleading Championship held in February in Florida. They won the Northeast Regional Championships, and they won six out of the seven local competitions between the Regionals and the Nationals. These young ladies were on ESPN with the competition, and I just want to say congratulations to them for a wonderful achievement, and we expect great things from you. Thank you.

***(Applause)***

**P.O. LINDSAY:**

And while Legislator Losquadro is there, you're going to present proclamations to the students from the Shoreham-Wading River School District.

**LEG. LOSQUADRO:**

Yes, Mr. Presiding Officer, I have a few individuals. I'm not sure who is -- I didn't get a confirmation yet, so I'll just call up the next individual who I know is here. And I apologize, I certainly don't hope, with a last name like Losquadro, that I mess this up, but Tom Luchsinger? All right, not bad. Tom, if you'd come here, please.

Tom is a senior at Mount Sinai. He's with the Three Village Swim Club, and Tom set two New York State record times in the 200 yard free style, finishing in 1 minute 37.12, and in the hundred meter butterfly in 48.37, breaking the State record. And, you know, with all the stuff in the newspapers, I got a little worried when I read that. He did all of this with a swimsuit malfunction. I didn't want to know exactly what was going on, but apparently his zipper broke, and even with his suit getting water in it and not being streamlined as it should, he still broke that State record, and we're very proud of his achievements, to have him right here in Suffolk County. Congratulations, Tom.

***(Applause)***

And, yes, Mr. Presiding Officer, I believe both of the individuals from Shoreham-Wading River School District are here. I'd first like to call up Steven Keith, our wrestler, if he'd come up here. And if any of his family or anyone is with him, they're welcome to come up also. Steve won the 119-pound weight class Championship in League 6, Section XI, and the New York State Championships. His outstanding performance also helped Section XI capture the overall New York State Team Championship. It's a great accomplishment for this young man. I'd like to personally say congratulations to you.

***(Applause)***

**LEG. LOSQUADRO:**

And, certainly, last, but not least, I'd like to ask Mr. Bobby Andrews to come, please.

***(Applause)***

There he is. He's with the Shoreham-Wading River Track Team. And after winning the State Title in Ithaca, and shattering his personal best by eight seconds in the thirty-two hundred meters with a time of 9.13.67, Mr. Andrews here came back and won the State Championship in the sixteen hundred meter, just over an hour later, by less than a tenth of a second. Tremendous accomplishment, shows perseverance, and dedication, and maturity at a young age that I'd have to say that sometimes you never see in politicians, so congratulations.

***(Applause)***

**P.O. LINDSAY:**

Okay. Next, Legislator D'Amaro for the purposes of presenting a proclamation.

**LEG. D'AMARO:**

Well, good evening, and thank you, Presiding Officer. And I'd like to introduce to all of us here tonight some boys that can shoot some serious hoops, the North Babylon Boys Varsity Basketball Team. If you're all here, if you could all stand up.

*(Applause)*

I appreciate that. The team is joined by their Head Coach, Brian McCaffrey, as well as the North Babylon High School Athletic Director, Mr. John Sparacio is also here with us. This basketball team, Ladies and Gentlemen, as I said, played some serious basketball recently. While they were competing, they had 14 straight wins, including four consecutive playoff wins, and they secured a Top 25 New York State ranking, and they reached the final eight in New York State Tournament. But, more important than that, they won their League, and they also were the Suffolk County Class AA Champions in basketball across our entire County. So we're very proud of what they achieved. Thank you. Let's give them a round of applause for that. I think it's a great achievement for them.

*(Applause)*

Many of the players also had some very impressive stats while playing through the tournament. They had a lot of great achievements individually with All League, All Conference, and All Academic Honors. Both the team and, of course, the coaches worked very, very hard to win that County Championship. We're going to recognize them here today, presenting them all with a proclamation for that achievement. And, Ladies and Gentlemen, once again, if you'd just join me in congratulating them and wishing them all well. Thank you very much.

*(Applause)*

**P.O. LINDSAY:**

Thank you, Legislator D'Amaro. Next, Legislator Nowick, Kennedy and Cooper for the purposes of a proclamation.

**LEG. NOWICK:**

We have a wonderful group here from Commack High School. This is the Junior -- no, this is not the Junior group. Anyway, the Junior Engineering and Technological Society sponsors an annual National Engineering Design Competition that challenges students through -- from Grade 9 through 12 to design and build an Assistive Technology Device to help a person with severe disabilities to succeed in his or her workplace. We're thrilled here, as Legislators Cooper, and Kennedy, and myself are thrilled, that the High School Cougar Team took second place in this event, and wait until I tell you what they did.

These students, who are so gifted, both intellectually and certainly are such nice students, and some are in the School Robotics Club, and other are in the research class, they were one of five finalists in the nation. The students redesigned the reception area at United Cerebral Palsy of Suffolk with their product called NOW, which stands for New Office Work-Space. This is a custom made universal integrated system of products to meet the needs of Jerina Porterfield, who's with us today, who's the receptionist at United Cerebral Palsy of Suffolk. The team also was awarded best display for their visual presentation, and best computer-aided drawing design. Congratulations to all of you. I cannot imagine being that bright and that talented where you designed a work station for Jerina. And it works perfectly for you?

**MS. PORTERFIELD:**

Oh, it's wonderful.

**LEG. NOWICK:**

Oh, that's so -- that's great. And congratulations to all of you.

*(Applause)*

**LEG. NOWICK:**

Legislators Cooper and -- I don't -- Legislator Cooper and Kennedy?

**LEG. KENNEDY:**

Congratulations.

**LEG. NOWICK:**

We're going to go outside, and congratulations. I'm just amazed at the brilliance. What vitamins did your mom's take when --

*(\*Laughter\*)*

**LEG. NOWICK:**

We'll go out that way.

**LEG. COOPER:**

Congratulations.

**P.O. LINDSAY:**

Okay. Next we have Legislator Eddington.

**LEG. EDDINGTON:**

Over the last number of years, as you've been here, you've seen that the Legislature has honored scholars and athletes, champions in their area, and we've honored people of public safety that have been heroes in our community. And today I'd like to honor a champion, a champion American family, the Franco Family. I'd like to have them come up, if you could. I know we have two men that have served our country and a Blue Star mother, and I know you have Grandma and stuff here, too. They're more than welcome to come up.

I would just like to say this is Kasey, who was honorably discharged just recently, who served in the United States Army, in which he was a Specialist in the 101st Airborne Screaming Eagles. During his time, Kasey served two tours of duty in Iraq, and has earned, for his dedicated service, three Army accommodation awards, two Army achievement awards, a Good Conduct medal, an Army Service ribbon, a War On Terrorists medal, and an Iraqi Campaign medal. This is a family who walks the talk. This is what an American family is supposed to be. But this is only half, because the other half, Adam, is still serving. He's been serving for the past four-and-a-half years, has two tours of duty in the United States Navy in amphibious assault ships. As a Merchant Marine Third Class, he's in an Engineering Unit. He's now on active duty and stationed in the United States Naval Station in San Diego. For his dedicated service, he has gotten a Service Award, a Good Conduct medal, a National Defense medal, War on Terrorists Medal, and an Iraqi Campaign medal.

This is a great honor for myself and the rest of the Legislature to present a proclamation to you, Mrs. Franco, a Blue Star mother, and to your son and your other son. Thank you.

*(Applause)*

You're not forgotten, please tell your friends.

**P.O. LINDSAY:**

Okay. Next is Legislator Montano for the purpose of a proclamation.

**LEG. MONTANO:**

Thank you, Mr. Presiding Officer, Members of the Legislature. I'm here to present a proclamation. I'm going to ask Mr. Andy Rodriguez to please come up.

Andy is a student at the Central Islip High School. I'm also going to ask --

*(Applause)*

-- Alex Gutierrez, who's the Chairman of the Hispanic Advisory Board and a teacher at C.I., and the coaches. Alex, are you here? Yeah.

You know, over the last five years I've been very fortunate to represent the Brentwood/Central Islip community. I know that this past year I was here, because the Brentwood Soccer Team came in first in the nation. Our Marching Band was State Champs. And we have other achievements, but today I want to introduce to all of you Andy Rodriguez, who is a junior at C.I. High School. He's also a member of the wrestling team. And Andy, aside from his athletic ability, is also an honor student at C.I. High School, and we're very proud of that. This year he hit the century mark with 100 varsity wins in wrestling. He also is a Suffolk County champion at 135 pounds, and he's Central Islip's third County Champion. This year in the State tournament he placed fourth and became Central Islip's fourth All State Wrestler in history. And I think that, you know, Andy's the kind of student that exemplifies what it is to be athletic, what it is to be a scholar, and he's done a great job. And I want to recognize --

**MR. BRZUZINSKI:**

This is his results from last year.

**LEG. MONTANO:**

Oh, that's last year. Go ahead.

**MR. BRZUZUNSKI:**

This year he's a State Champion.

**LEG. MONTANO:**

Oh, okay. Staff work here. This year he is the State Champion, 2009. Okay.

*(Applause)*

I stand corrected. Congratulations. With that, I'd like to -- Alex, would you like to say something very quickly? We don't have much time, but Alex is a member of the Hispanic Advisory Board. He's been at the School District many years.

**MR. GUTIERREZ:**

Briefly, yes.

**MR. BRZUZINSKI:**

His last year, he's retiring.

**LEG. MONTANO:**

Well, he's not retiring yet, right?

**MR. GUTIERREZ:**

Yes. As a matter of fact, we in Central Islip are very proud. We in the community, all right, as Latinos, are very proud of Andy for his accomplishments, his accomplishments as -- you know, as an honor roll student. He is one of my students in my class, and I'm very proud to have him. He is a great student and he shows very well, and he's done an accomplishment, especially as a junior. As

a junior, to take the State Champions, a great accomplishment. So he still has next year to come. All right? Andy, I wish you the best.

**LEG. MONTANO:**

And the coaches are Rick and Brad. And I also want to recognize the Coaches, Rick and Brad Brzuzinski. All right. We're going to take a picture? I want to thank you very much.

*(Applause)*

**P.O. LINDSAY:**

Okay. Next is Section XI, which is Suffolk County Gymnastics, won -- Team won the New York State Public High School Athletic Association Girls Gymnastics State Championship competition, held on February 28th, 2009, Latham, New York. And we have a number of people that were part of that team here that represent all of Suffolk County. They're in all different Districts. So I'm going to call up first Legislator Alden for the purpose of a proclamation.

**LEG. ALDEN:**

Thank you, Mr. Presiding Officer. These young ladies are the best of the best in Suffolk County, and they formed the Section XI Gymnastic Team that went up to New York and actually won the New York State Championship. So I'd like to ask Legislator Stern, Legislators Nowick, Beedenbender, Romaine, and Vilorina-Fisher to join me.

I have the honor of having two people, and one of them is a coach, and Olivia O'Connor, who is an 8th Grade student in Bay Shore, so I think that she's going to be a champion for many, many years to come, so, congratulations on that. And I'm going to turn it over to other Legislators, and then we'll do one presentation.

**LEG. NOWICK:**

Well, I'm very fortunate, I have three of these young ladies in my District. Brittany {Sezzar}? What is it, {Sezzar}?

**MS. CASSAR:**

Cassar.

**LEG. NOWICK:**

Tara Greco, and I think Legislator Kennedy and I share GinaMarie Marcheschi. Congratulations. That's the best. We're very proud of you.

**LEG. KENNEDY:**

Good jobs, ladies. And, as always, we love to be able to go ahead and recognize athletic competition. And, certainly, amongst yourselves you distinguish our District and Suffolk County throughout the whole state and the nation. Thank you. Great job, Ladies.

*(Applause)*

**D.P.O. VILORIA-FISHER:**

I have one of you great athletes in my District, Alexa Sakovich. Hi, Alexa. Congratulations. I know how hard you work when you're a gymnast. My brother is a gymnast and my daughter-in-law is a gymnast, and they really, really work hard, lots of hours. You've done a great job; we're all proud of you.

*(Applause)*

**LEG. BEEDENBENDER:**

Legislator Vilorina-Fisher and I share the Middle Country School District, so Amanda Fillard. Amanda? Congratulations, Amanda. And we'll take a picture outside. But congratulations on all your hard

work. And I would have to guess that you have a couple of years more gymnastics ahead of you, right? Okay.

**(Applause)**

**LEG. STERN:**

Alyssa Burns, Courtney Mangini, Paris Ryder, and Chelsea Savit, congratulations to you and to your entire team, and your coaches and your families. You bring great pride to the Suffolk County and New York community, and we wish you every success in the future.

**(Applause)**

**LEG. ALDEN:**

As you go outside, I want half of you to do back flips, and the other half to do pirouette, and then flips, and roll over that.

**D.P.O. VILORIA-FISHER:**

But only if you'll do back flips, Cameron.

**LEG. ROMAINE:**

I just want to mention Michelle Maillard. I know she's not here today. She comes from the Shoreham-Wading River School District, she lives on Barnes Road in Wading River and is a constituent of mine. But I just wanted to mention her name, although she couldn't make it. I just wanted to thank her for her efforts, and congratulate all of you fine young ladies on this accomplishment. Thank you again.

**LEG. ALDEN:**

New York State Gymnastics Champions.

**(Applause)**

**P.O. LINDSAY:**

Before the Legislators leave the room, if you could just stay, because I just want to take one resolution out of order of a family that's here. It will only take like two minutes, I think.

**LEG. ALDEN:**

And you guys can advise us how to vote.

**P.O. LINDSAY:**

Just -- yeah. I want to make a motion to take **Resolution 1948 (1949-08)**, it's on Page 9 of the written agenda.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

***Naming the fishing pier at Smith Point County Park as the "John Fritz Memorial Fishing Pier"***. And the motion is seconded by Legislator Viloria-Fisher. All in favor? Opposed? Abstentions?

**D.P.O. VILORIA-FISHER:**

Thank you, Mr. Chair.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

It's before us now.

**D.P.O. VILORIA-FISHER:**

I'd like to make a motion to approve.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Schneiderman.

**LEG. LOSQUADRO:**

No, Eddington.

**P.O. LINDSAY:**

Legislator Eddington? Okay.

**LEG. SCHNEIDERMAN:**

Yes, his District.

**P.O. LINDSAY:**

So, is there anybody on this subject?

**D.P.O. VILORIA-FISHER:**

Actually, Mr. Chair, if --

**P.O. LINDSAY:**

Yes.

**D.P.O. VILORIA-FISHER:**

I would like to withdraw my motion, and let Legislator Schneiderman make the motion to approve.

**D.P.O. VILORIA-FISHER:**

He made the motion, and there's a second.

**P.O. LINDSAY:**

Let's not argue.

**LEG. SCHNEIDERMAN:**

It doesn't matter, just leave it.

**D.P.O. VILORIA-FISHER:**

Okay, it doesn't matter.

**P.O. LINDSAY:**

Let's just get it done.

**LEG. SCHNEIDERMAN:**

It's fine. It's fine.

**D.P.O. VILORIA-FISHER:**

Okay.

**P.O. LINDSAY:**

All right. So the motion's before us. All in favor?

**LEG. SCHNEIDERMAN:**

On the motion.

**P.O. LINDSAY:**

Opposed? Abstentions? Did you want to talk? I'm sorry.

**LEG. SCHNEIDERMAN:**

No, I just -- I know the family is here. Mr. Fritz, who spent most of his life in service to this County, you all know him mostly for his work at the Park Trustees, a very active member, and we're naming this fishing pier in his honor. And it's a wonderful thing to know that working hard and dedicating yourself to community service is still valuable and recognized in this County. And I wanted to thank the family for, you know, their support and the Park Trustees, and everyone else who was involved in making this happen.

*(Applause)*

**D.P.O. VILORIA-FISHER:**

Mr. Chair, as Chair of the Parks Committee, I have come to know -- I had come to know Mr. Fritz over the years and know that he was a dedicated volunteer, was always at the meetings, and really made a tremendous difference.

**P.O. LINDSAY:**

Okay?

**D.P.O. VILORIA-FISHER:**

Congratulations to the family.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

*(Applause)*

**P.O. LINDSAY:**

Okay. I have -- if I could have everybody's attention. Gail Vizzini, who is the Director of our Budget Review Office, gave a presentation on our fiscal crisis at the Budget meeting. I've asked her to give us an abbreviated rendition of that report, because I know some of you couldn't be at Budget. So, Ms. Vizzini, if you could pick it up.

**MS. VIZZINI:**

Thank you, Mr. Presiding Officer, for this opportunity to view with you the Budget Review Office budget model. It basically forecasts the size of the budget shortfall for the periods ending 2008, 2009 and 2010. As you know, the budget model is a series of assumptions regarding expenditure and revenue. For the purpose of this presentation, we are going to describe the magnitude of the problem without assuming any particular relief. We'll get to the impact of the Federal stimulus money just -- in just a moment.

The budget shortfall for the 2009-2010 period is in the magnitude of 313 million dollars in the General Fund, and an additional 16.1 million in the Police District, for a combined shortfall of 329 million dollars. The breakdown in the General Fund is 169 in '09 and 143.6 in 2010. Unlike previous years, where you would be looking forward to the next budget year, this shortfall has manifested

itself in the current year. There is a shortfall in 2009, primarily due to anticipated shortfall in revenue sales tax. This shows you the 313 in the General Fund, 16 in the Police District, for the combined 329 million.

Last Fall no one could have predicted the downturn in the economy, and that has had a very devastating impact on sales tax revenue. We ended '08 with a sales tax shortfall of 24 million dollars. Budget Review is projecting negative 4% growth, despite the fact that we did adopt a 2009 budget with a 1% increase. We are projecting a zero percent growth in 2010 from that lower base. The Budget Office is slightly more negative in that they are projecting negative five for '09, but also at zero for 2010.

As I said, there's no shortfall mitigation in these numbers yet, no -- we haven't incorporated the Medicaid funding, we haven't incorporated any property tax increases, reorganizations or other policy directives. There are no program reductions or sale of County assets. Neither have we assumed that there will be a police class or a new correction officer class. These are all policy determinations that are up to you. This is for illustrative purposes in terms of the magnitude of the budget problem. We did, however, assume a continued policy of restrictive hiring and restricted purchasing; again, negative 4% for sales tax, one of our largest revenue items, and zero percent for 2010.

We did also assume that the Police District would be subsidized similarly in 2010 with sales tax revenue of 69 million dollars. This is also a policy determination.

We think, although we will know the latter part of April, we think that we will end '08 with a fund balance of 69.6 million. That's 12.5 million less than we thought when we used it to offset taxes for the 2009 adopted budget.

Excluding the Medicaid FMAP relief, Budget Review projects there will be a shortfall in 2009 of 136.6 million dollars in revenue. Primarily sales tax, 78.5; State and Federal Aid, 41.3. Property taxes continue to trend downward, negative 20, and other revenue seems to be a little more stable.

As far as expenditures, excluding FMAP, we are projecting that we will probably spend 61.8 million dollars less in the General Fund than we adopted for 2009. This is a continuation of the restrictive hiring, the restrictive purchasing, and the reserve funds that the Executive Budget Office have set aside in anticipation of the shortfall. We are projecting that if no mitigation actions are taken, we will end 2009 with a negative fund balance in the magnitude of a negative 87.3 million.

As far as 2010, we are projecting a revenue shortfall in the General Fund of approximately 127.4 million dollars. In addition to that, there will be an increase in the cost to operate the County. Expenditures will probably increase to the tune of about 16.1 million. Again, unless mitigation action is taken, the cumulative shortfall over '09 to 2010 will be 313 million.

This chart shows you the 2010 General Fund shortfall in non-property tax revenue. You see once again, most of the economists are indicating that although we are slowly -- will be slowly emerging from this recession, it is not likely to manifest itself until the latter part of 2010. State and Federal Aid is also trending downward.

In terms of the good news, and there is some, we do know that the Labor Department will be getting an additional 6.6 million dollars in Federal stimulus WEA funds. Typically, that is accepted as revenue directly to the Labor Department in Fund 320. It would not necessarily provide relief to the General Fund. The best news is that we know for sure that we will be receiving Medicaid stimulus funds totaling 90 million dollars over a 27-month period. We're already going to be receiving 16 million dollars in revenue in 2009, and after we get those two checks, 8 million each, expenditures will be reduced in Social Services, totaling an additional 74 million dollars in reduced expenditures over 2009-2010. This 90 million dollars in Federal stimulus monies will reduce the shortfall in the General Fund from 313 to 223, still not a particularly manageable number over the period 2009 to 2010.

The breakdown net of the FMAP money is 119 in 2009, and 103 in 2010 for the General Fund alone.

Although we are pursuing Federal stimulus funds, and it is my understanding there is some resolutions going to be laid on the table today demonstrating that impact, it's hard to get a handle on how much Operating Budget relief that will provide us, as opposed to relief as far as projects in the Capital Program. Certainly, it could alleviate some of our debt service, but a lot of these projects are to be shovel-ready, and they mean highway, strengthening and improving roads, they mean sanitation projects, they mean investing in capital improvements to our buildings for energy efficiencies. We don't have a good handle on what will exactly come to Suffolk County.

This chart shows you, with the FMAP release -- relief how the shortfall, which was 313 million, is reduced by the 90 million and is now 223 million. Very often we talk about combined funds, the General Fund and the Police District. Net of FMAP, you still have -- you know, you have 223 million in the General Fund, but you have 16 million in the Police District shortfall, for a combined 238 million Police and General Fund.

I want to take a moment to caution you that the 1.9 billion dollar General Fund cannot be sustained on a property tax levy of 51.1 million dollars. This has been particularly challenging in terms of the recession that we face. Additionally, we cannot sustain the large fund balances that we had experienced in prior years. Some variables that are not included in these numbers, but demonstrate some hope for us, and options available to you, I know you will be presented with many options, an increase in our sales tax of .125%, bringing it back up to where it was at 8.75% in 2005. It would generate 33 million dollars in revenue. However, it would make us, along with Erie and Ontario, among the highest in terms of sales tax rate.

The cigarette tax, which you have read about in terms of relief for Nassau County, we estimate, if that were approved for Suffolk, it would garner 16.5 million dollars in revenue. Through the State, we're pursuing a hotel/motel tax increase to 3, or possibly even 4%. It's my understanding that there's a bill, 4% statewide. At 3% we would garner an additional 5.5 million dollars in revenue. There's also a discussion of a traffic ticket surcharge, 10 million in revenue; red light cameras, 3.5. These are annualized amounts and do depend on the State giving us approval for these changes. Other variables include the fact that we are fortunate enough to have a robust tax Stabilization Reserve Fund. At the end of '09, that fund will have 130 million dollars.

An energy tax. Nassau County is considering for the first time implementing a 2.5% energy tax, similar to its sister County. If we were to raise our energy tax by 1.5%, bringing it up to the total of 4%, it would generate 31 million dollars.

Union concessions are another area where all of us need to be part of the solution to the problem. The lag payroll is estimated at 26 million dollars, and, of course, there are other avenues in that direction. Among the many other variables are sale of assets, property tax increases, consolidations of operations, and, of course, layoffs. Although I don't have a comprehensive list at this time in terms of a menu option for you to consider, my staff and I are always available to talk with you. We have been in conversations with the Budget Office in terms of the magnitude of the problem. We are generally in agreement in terms of the magnitude, and we are pursuing various alternative solutions.

In conclusion, the combined General Fund and Police District problem, net of the 90 million FMAP money, is 238 million over the two-year period. We need a multi-pronged approach to solve the problem. We need revenue enhancements and probably expenditure reductions.

**P.O. LINDSAY:**

Thank you, Ms. Vizzini. Does anyone have any questions of our Budget Review Office? Yes, Legislator Barraga, and then Montano.

**LEG. BARRAGA:**

You really didn't detail any solutions, as you indicated you would not, but let me ask you a question. If, with the Federal stimulus monies coming in, your 2009 deficit is down to about 119.3, and your 2010 is at 103, and as I understand, and I could be wrong, I'm led to believe, at this point, on the reserve fund, which has 130 million dollars, if the County Executive declares a financial emergency in the County, and, certainly this I would think is well-defined as an emergency, we can get into that reserve fund without having to increase property taxes; is that true?

**MS. VIZZINI:**

I would defer to Legislative Counsel, but we have discussed that, and generally, in concept, you are correct.

**LEG. BARRAGA:**

Okay.

**MS. VIZZINI:**

One of the --

**LEG. BARRAGA:**

That's okay. That's all right.

**MS. VIZZINI:**

Okay.

**LEG. BARRAGA:**

That's not my main point. If that be the case, my constituents don't care about that reserve fund, they just don't want their taxes increased. Why don't we go all in on the reserve fund to close the gap in 2009? That would be roughly 130 million dollars and deal with the issue. Stop all the --

*(Applause)*

**LEG. BARRAGA:**

Please. And stop all this other so-called stuff that's going on as we speak. If that 130 million dollars, if we went all in to close the gap in 2009, and then sat down with all of the interested parties for 2010, I think we can be much more effective in 2010 in closing 103 million, because you wouldn't have a reserve fund, and you'd have to make some tough decisions, which everyone could participate in.

*(Applause)*

**MS. VIZZINI:**

There's definitely an upside to your suggestion, Legislator Barraga, but there is also a deep downside. First of all, you've just shot your wad, so what do you do in --

**LEG. BARRAGA:**

It wouldn't be the first time in my life that I've done that.

*(Applause and Laughter)*

**LEG. KENNEDY:**

Don't get him started.

**LEG. BARRAGA:**

Don't go down that road.

**MS. VIZZINI:**

By that, I mean that a more conventional term would be one-shot.

**P.O. LINDSAY:**

I assume that's an economic term.

*(Laughter)*

**D.P.O. VILORIA-FISHER:**

It's fungible.

**LEG. BARRAGA:**

Bernake uses it all the time.

**MS. VIZZINI:**

Yeah, I mean it -- I mean it in the terms of a one-shot. You, know, yes, half of -- it's a two-year problem. One half would be solved by depleting the Tax Stabilization Reserve Fund.

**LEG. BARRAGA:**

But, you see, as I understand it, by going all in, you don't have to raise taxes, but if you went in halfway, if you had to go in next year, unless something unusual happens, I think you have to raise taxes to get at that reserve fund. You are much better off going all in now, close the gap, and then sit down with all interested parties over the next several months to deal with the 2010 deficit, and you could have a situation where the economy sometime in 2010 begins to improve. Because, as you point out, one of the biggest problem we have, and it's ongoing, is the dramatic reduction in sales tax week to week, month to month, which we're seeing.

**MS. VIZZINI:**

As I said, there is an upside. Mostly, you make a very good political argument, but I would ask you to think about the other budgetary structural concerns that we have in the budget after you have the adverse impact of the economy. Sales tax is the big problem here.

**LEG. BARRAGA:**

Just one quick follow-up. My concern is the position being taken by some. They just want to go into the reserve fund for 15 million or 30 million, or whatever the figure is. I think that's the wrong approach. You've got that reserve fund. You don't have to increase taxes. We know property taxes will not do the trick. We know tough decisions have to be made. If you're going to go in, you go in all the way, because it doesn't affect my constituency.

*(Applause)*

They're not going to be positive or negative, but if I have to increase taxes, property taxes, I will hear from them.

**MS. VIZZINI:**

Well, you have to think in terms of 2010 and 2011. There should be -- there should continue to be a County, there will continue to be problems. And we've cautioned the Legislature and the County Executive that we are, number one, way too dependent on sales tax, that the General Fund itself is subsidized, and our favorite expression is "on the head of a pin". As taxpayers ourselves, it's a major concern. Your average property taxes in the General Fund are \$100.

**LEG. BARRAGA:**

No, I don't disagree with you, but I don't see that changing, because in order to increase property taxes, you've got to increase property taxes in order to increase that volume. We're going to be dependent upon sales taxes, and, you know, this idea of the mother of all one-shots, which has been passed by Washington, is going to filter down here and we're going to pick up whatever those millions may be. That, in essence, will be spread over the next two years. All I'm saying is that here, we have something that Nassau doesn't. They're not -- believe it or not, they're not run as

well as Suffolk in terms of a fiscal. They didn't have a reserve fund. Believe me, if they had it, Suozzi would have used it. He would have gone into it all the way to avoid any sort of a situation where there were going to be real negatives with reference to labor, or their personnel, or anything else. Even in his particular case where he wanted a 7% reduction in salary, he didn't get it. They did wind up doing a lag payroll and a few other things.

But the point is, all I'm saying is that here we have this pot of money, 130 million, use it, then deal with 2010 in the next several months and get all the parties in to sit down and say, "Okay, the reserve fund isn't there anymore." We still have this deficit of 90 or 100, or 120 million for 2010. What are we willing to do at that point, all right, all of us to sacrifice to close that gap.

**P.O. LINDSAY:**

Questions. Could we just limit it to questions, because we have to get to the public portion. Legislator Alden.

**LEG. ALDEN:**

And I apologize if you said this, but what's the debt service for '09?

**MS. VIZZINI:**

We're at 90 million, and that's net the subsidy from the tobacco --

**LEG. ALDEN:**

That's net. So, in other words, that's taking out the subsidy money. And what's the projected for '10?

**MR. LIPP:**

Actually, we were under 60 million, and that's because of the tobacco. And the projection is we'll be under 60 million, both '09 and '10.

**LEG. ALDEN:**

Unless we keep going at the rate we've been going, and then we'll end up being more than that, but, okay, thanks.

**P.O. LINDSAY:**

Legislator Vilorio-Fisher.

**D.P.O. VILORIA-FISHER:**

Thank you, Gail for that presentation. You began to say that the downside of using all of the Tax Stabilization Reserve Fund, you mentioned one item, but there was another that has been mentioned, which is what would happen to our bond rating. And, in the long run, we would be spending more on debt service if our bond rating were affected, were we to use all of the Tax Stabilization Reserve Fund.

**MS. VIZZINI:**

There's probably some merit to that argument. The rating agencies, they look for certain things and they're going to be asking a lot of questions. They would view the fact that we have or had a substantial fund balance as almost a reserve, and then you had the substantial Tax Stabilization Reserve. So the two combined, they view that, you know, we have substantial reserves, "Go ahead and lend them the money, because they've got plenty of reserves to pay you back," so it does help us.

We have looked at the magnitude in terms of if we were to, unfortunately, drop our bond rating and it's very incremental, and it varies by company, and it's going to depend on the market, but if you -- you know, for each little incremental drop, you're talking about costing more to borrow somewhere in the neighborhood of, you know, 400, 500,000, so it's not insurmountable.

The other thing that -- the argument has also been made in terms of we do borrow from those funds for our cash flow concerns. So, from a viewpoint of fiscal responsibility, I would encourage you, yes, access the Tax Stabilization Reserve, but not deplete it in its entirety, because, first of all, this is a two-year problem and we need to look towards 2011 as well.

**D.P.O. VILORIA-FISHER:**

Thank you.

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Gail, thanks for the presentation. We heard the same in the Budget Committee. And it's not great news, of course, but I wanted to ask you a simple question. There's been this proposal to use the reserve fund. And I know we're not here to debate today whether or not we should use 30 million or 130 million, but assuming that we did tap into the 30 million, that would be applied to 2009; is that correct?

**MS. VIZZINI:**

I think one of the options would be, pursuant to General Municipal Law, to declare that we have met the criteria to access it during 2009.

**LEG. D'AMARO:**

What did you say part of the problem would be? I'm sorry, what did you say? I didn't hear you, there was some talk.

**MS. VIZZINI:**

One of the options.

**LEG. D'AMARO:**

Oh, one of the options.

**MS. VIZZINI:**

Yeah.

**LEG. D'AMARO:**

Right. So one of the options would be to use 30 million dollars this year if we declare this an emergency, meet the parameters under the law, what it requires to tap in without the 2 1/2% tax increase, real property tax increase. What is the -- if we get to that 30 million, what is the shortfall, the balance for 2009, projected.

**MS. VIZZINI:**

What's the 119, less the 30 million?

**LEG. D'AMARO:**

Okay. So 119, less the 30. Okay. So we'd still have to come up with roughly 90 million dollars in revenue or cuts for 2009, only just to have a legal balanced budget.

**MS. VIZZINI:**

That's a substantial problem.

**LEG. D'AMARO:**

Okay. All right. Thank you. I just want to clear that up.

**P.O. LINDSAY:**

Legislator Gregory.

**LEG. GREGORY:**

Thank you, Gail. In your analysis, did you come across, or do you have some concern with us meeting payroll this year? I know this is the first time we've had a problem during the years, usually a year ahead. I know the County Executive has mentioned that there's some concerns with meeting payroll in the next few months or so. Have you found that in your analysis?

**MR. LIPP:**

We've been in contact with the Comptroller's Office. They do a cash flow analysis to try to size the tax anticipation borrowing, that's cash flow borrowing. And it's hard to say exactly. You've got to do projections and all that kind of stuff. But, to make a long story short, the current cash flow, that is still unofficial, is it looks like it's pretty close, but we can make it through the end of the year, cash-flow-wise, with some basic assumptions of what we think we'll be able to -- be able to borrow. But it remains to be seen in terms of whether or not those projections are -- turn out to be too optimistic or pessimistic by the end of the year, so it will be close.

**LEG. GREGORY:**

Thank you.

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Actually, I'm going to pose this question to Robert, if I can, and it references the outer window that Gail just spoke about. I had the opportunity to hear Dr. Kellner speak last Thursday, and in his economic presentation, he spoke about a number of factors that seem to speak about a turn in the economy that he was tagging somewhere to -- mid to late summer, with the possibility that there would be an uptick in the economy in the latter part of this year. So when you model and tell us that we've got a problem that's going to roll through 2010, are you agreeing with that, or do you feel that the economy is still tanked?

**MR. LIPP:**

Well, there are pluses and minuses. On the plus side, you know, there's going to be a cut in withholding taxes in April, there's going to be an increase in unemployment insurance, that's going to help. Food stamps is going to tick up in April also, so those are all going to be positive things. The big -- the big thing that's really hard to figure out is you don't really know when we're going to stop in terms of the decreases in labor, in jobs, and that has a worldwide impact, also. So that if that keeps on going up, we might not be seeing the downside. That's a wild card, a downside risk that is hard to tell. To make a long story short what we're talking about, he's making sense, yes. There's a good case to be made to what he's saying, yes, but the risks on the downside are pretty scary. So what we're trying to do here today and last Tuesday, in terms of our budget model predictions, are we're trying to be reasonable, maybe a little bit on the conservative side, I think, but the downside risks are still pretty scary.

**P.O. LINDSAY:**

Okay. Next, Ben Zwirn, are you in the room?

**LEG. HORSLEY:**

Bill, can I ask one quick question?

**P.O. LINDSAY:**

Okay. Legislator Horsley, last question, quick, and Ben Zwirn has something to say, and I've got to get to the public portion.

**LEG. HORSLEY:**

Yes. Yeah, I'll make it very quick. The State of Fiscal Emergency, the two -- once that is declared, I understand that it has to be undeclared. Is that how you would end the State of Fiscal Emergency?

**P.O. LINDSAY:**

I think Counsel can answer that for you.

**LEG. HORSLEY:**

Okay.

**MR. NOLAN:**

To access tax stabilization in the middle of the year, you do not need a declaration of a fiscal emergency. The County Executive has to recommend to the Legislature tapping Tax Stabilization Reserve. There are certain criteria that have to be met in order to do that. In our case, it would be unanticipated revenue loss. And then once he recommends that to us, there would be a resolution and a two-thirds vote could approve tapping the reserve fund to whatever amount is recommended.

**LEG. HORSLEY:**

Okay.

**MR. NOLAN:**

So it does not have to be a declared State of Fiscal Emergency is the short answer.

**LEG. HORSLEY:**

Okay. And, too, if we were to raise the County portion of the sales tax, that would require what mechanism? Could we do that unilaterally, or do we need --

**MR. NOLAN:**

No.

**LEG. HORSLEY:**

-- State approval.

**MR. NOLAN:**

No. The State Legislature has to authorize us --

**LEG. HORSLEY:**

That's what I thought.

**MR. NOLAN:**

-- to raise the sales tax. Then we -- if they authorize us to do so, then we'd have to pass a local resolution implementing the tax increase.

**LEG. HORSLEY:**

Right, I understand. Okay. Thank you.

**P.O. LINDSAY:**

Okay. Mr. Zwirn, if you wanted to give us some new moves, if -- that the Executive Branch is making, please.

**MR. ZWIRN:**

Yes. Thank you, Mr. Presiding Officer. And today, the -- first, let me state, nobody, and I want to mean -- what I'm saying, I hope the Union representatives and the members of the different Unions understand. We do not want to lay off anybody. And I'm saying this, and people, I know they're angry, they're nervous, they're confused. But we have an unprecedented economic downturn globally in this world and it's hitting Long Island and Suffolk County particularly hard. All you do is

read Newsday where they talk about housing prices in the Northeast being down 20%. Long Island is down 33% from a year ago. Unemployment is at record levels, I mean, around the country. I know my own son, you know, was laid off, for no fault of his own, from the private sector, because there was no more work, and he's going to get help from the federal government with COBRA and all the unemployment insurance. But we are in a serious, serious situation, and people who don't think that are -- just have their heads in the sand.

Today the County Executive is going to be filing three bills. One is to go and tap the tax stabilization money, and we're looking to the tune of 30 million dollars. I heard Legislator Barraga talk about taking the whole thing. We are loathe to do that, because that is the ultimate one-shot, and that money will not be there next year, and when we have these expenses, where do we go? The "rainy day fund" is gone, and gone forever, besides the fact that our credit rating will go out the window, and Suffolk County paper might be pretty much worthless. It's just -- it's just we think it's the wrong way to go, but we do believe, and we have talked to the Presiding Officer. Originally, the County Executive wanted to go into it for 13 to 15 million dollars. He agrees with a number of the Legislators that 30 million dollars is a good number, because if 2010 does not turn around, if we have to go back to tax stabilization again next year, it will be there. We did the same thing with tobacco securitization. We could have taken the entire amount at one time and had a giant windfall in revenue. We have done it in a way which we think, with the Legislature, in a way that makes sense, that we wean ourselves off it. We know how it's going to go in the next couple of years, and by 2012, we're going to have to try to bring expenses down, or hope that the economy has turned around and sales tax revenue is going up. And at least we know going forward what our revenue numbers are going to be. We took a conservative, and I think a very good, approach, and that was done bipartisanly.

All right. That's the first bill we have, is to tap tax stabilization, recognizing that we're all in this together, and that asking the unions for a lag payroll, getting about 30 million dollars there, tapping tax stabilization for 30 million dollars.

The second bill we have is for a lag payroll to cover management and exempt employees, including the Board of Elections, and that also will be filed today.

The third one that we have is an omnibus bill, which lays out where the rest of the money is going to come from.

I know that the Union sent out a letter listing red light cameras and surcharges, and we have been working on that from day one. I know the rumors are out there, that we didn't want the surcharge money. Yes, we do. I have been in Albany five times in the last five weeks roaming the halls, and tomorrow, I think we have an appointment with the Majority Leader, Mr. Silver, which would be helpful, because right now that -- the State budget is held closely in that office and nobody knows what's in it. Red light cameras, Presiding Officer has been pushing that for years, we are supporting it. Cigarette tax. We're already on Earlene Hooper Hill's (sic) bill, in Nassau. We've asked Senator Johnson, Senator Craig Johnson, and Senator Foley to put a same-as legislation so we can get revenue from there. That is in our omnibus bill. We figure there's a 117 million dollar deficit in '09.

What we are asking the unions to do is to give us a lag payroll, and that is just a lag payroll. We're not asking anybody to lose a job, but we don't know how to get everybody to the table to just do that. That's all we have to do. It's been done before. It's tax-deferred money that you will get when you leave the service of the County. It will be more money than you would have gotten this year, but it's an investment in the County to keep everybody working. And if we do that, we can go back and not having demonstrations. Everybody goes back to work and we deal with 2009 and get prepared for 2010. Hopefully, things will turn around, but it's got to come a long way from where we are now to get there.

Those are the three bills that we will put in today, we'll lay on the table, they'll go to Committee. They can be discussed, they can be tweaked, but, basically, this lays out our proposal. And we're

only asking the union to do a lag payroll, that's it. That's just about all we're asking and then we can get through with this. We're not asking people to give -- we're not asking -- we're not trying to fire people, but we're trying to get everybody's attention so that we understand that this is a serious problem, because if we can't get the lag payroll, we can't just sit around and not do anything.

**P.O. LINDSAY:**

Okay. Thank you. Mr. -- Legislator Romaine. And, again, I'm -- we're into the public portion, so if you could make it brief.

**LEG. ROMAINE:**

Very brief. My question, I guess, is to get the unions to come to the table, I did not believe it was helpful for the County Executive to send out twenty-two or twenty-five hundred layoff notices.

**(Applause)**

After this Legislature specifically tabled his resolution calling for layoffs, the Executive acted alone without the approval of this Legislature for layoffs.

**(Applause)**

**P.O. LINDSAY:**

Question, Ed. Come on, question.

**LEG. ROMAINE:**

Now --

**P.O. LINDSAY:**

Question.

**LEG. ROMAINE:**

Right. We have a Village Trustee here from a Village out east, and I said what would happen if the Board considered layoffs as an economic measure, and then tabled it, and then the Mayor went out anyway and sent out layoff notices, and he told me chairs would fly.

**P.O. LINDSAY:**

I'm still looking for the question, Ed.

**LEG. ROMAINE:**

My question is, does sending off -- does the Executive really believe that sending off layoff notices engenders the cooperative spirit of the union to work with the County Executive instead of pouring acid on a situation that doesn't need that?

**(Applause)**

**P.O. LINDSAY:**

You don't have to answer. Do you want to answer that? Quickly.

**MR. ZWIRN:**

County Executive is in a tough spot. I know people don't like to hear that, but he's got to make the tough decisions.

**(Outburst in Audience)**

**P.O. LINDSAY:**

Stop it. I won't tolerate that.

**MR. ZWIRN:**

He's got to balance the budget for the entire County he's -- only a few ways we can do that this year. He has tried to do this in as -- a way that we have the least impact on the County workers and their families by asking for a lag payroll. We don't have the support of Legislator Romaine. We need the support of unions and we need the support of this Legislature coming down the road, because the only thing we have ultimately, if we can't get -- we need -- we can't do the layoffs without your votes. We have to do something before the end of the year, and we have to do something quickly, because every week that goes by, the deficit gets worse.

**P.O. LINDSAY:**

Okay. Thank you. I want to get to the public portion, and the first speaker is our former Comptroller, Joseph Caputo.

*(Applause)*

**MR. CAPUTO:**

Thank you, Mr. Presiding Officer. I appreciate the opportunity to come before you. Why I'm here is something of a personal matter, and in respect that it affects my health benefits as to what I was receiving and what I was promised I would receive on January 1st, 2003, when I retired from the employment of this County.

The County Executive, through his Deputies, has issued certain memorandums and certain letters to the retired people and all employees in the County pointing out the fact, in 2007 there was a Memorandum of Agreement with the unions to the effect that we would be changing the co-payments that were required by the employees of Suffolk County, including the retired employees. The memorandum came out, issued on January 5th of this year, effective this year, too late for me to change my HMO, or to change the coverage I was receiving, and still -- I still am receiving under the Employees Medical Health Program.

In 2008, I was, in effect, covered by Medicare, which I still am, and the balance that was not covered by Medicare was usually covered in its entirety by the Employees Medical Health Program for my medical needs, that is the doctors that I have to go visit. By his change, I now have to pay up to \$25 for every visit I make to an endocrinologist who takes care of my diabetes problem, to a lymphedema man who takes care of my kidney problem, to my Podiatrist who takes care of my feet problem, and to my Internist who examines me on an ongoing basis to see -- to see how I'm doing on an overall basis and taking care of my health. I suffer from lymphedema, which, if you don't know what that is, that means that my water vessels in my legs do not pump the water up to my bladder to allow me to urinate effectively. I take medicine for that purpose. And I have to sleep in a reclining chair with my legs up to help the gravity get to the bladder. These costs to five different doctors at \$25 a visit is extraneous and something that I feel I should not be liable for and have to pay. I also go to a Physical Therapist three times a week and it costs me \$36 now for my visits to his office, whereas last year I had to pay nothing; that's \$36 a week.

So, sir, I ask this Legislature to look at the Employees Medical Health Program, and, in effect, review what they're doing. Although I didn't like him, Dave Greene gave coverage to spouses of retired people. And my wife would be threatened with that if I should predecease her, and that I would lose -- she would lose the Medicare coverage that I have, and, in effect, she would not be covered by the Employees Medical Health Program. So it's something that not only affects me, I come to you today because it affects thousands of people here in Suffolk County who are retired, who are working for the County, and are being given the short shrift for the coverage that they're supposed to receive.

**P.O. LINDSAY:**

Thank you.

**MR. CAPUTO:**

I thank you for your patience.

**P.O. LINDSAY:**

Thank you, Mr. Caputo.

*(\*Applause\*)*

Mary Carnie.

**D.P.O. VILORIA-FISHER:**

While Mary is coming up, on deck is Victoria McGrath.

**MS. CARNIE:**

Good evening. I am here to speak on the Introductory Resolution 1205. I am here today to request that the Legislature oppose any layoffs. My name is one of many on the layoff list. I am a hardworking single parent, own a townhouse with a large mortgage, high taxes, and work hard to stay on Long Island, where I have lived since two years of age, and where my daughter would like to remain. If this layoff is approved, I will go into foreclosure, lose my home, have to go on unemployment and Social Services, and my daughter also would be forced off Long Island.

There are very few other jobs to be had. The lines for unemployment and Social Services are massive and will only get worse. The news states people are not spending, which contributes to our declining economy. If there are layoffs, there would likely be a large number of other County employees facing foreclosure. I ask you all to work to control the cost of government during this serious recession, but I plead that you not do so at the expense of the hundreds of employees who work diligently behind the scenes to support much of the work you each do on behalf of the County residents, for like them, we, too, are your constituents. Thank you.

*(Applause)*

**D.P.O. VILORIA-FISHER:**

Thank you very much, Ms. Carnie. Our next speaker is Mary -- Victoria McGrath, and right after her is John Sarno.

**MS. MC GRATH:**

Hi. Thank you for letting me speak before you. My name is Victoria McGrath. I'm a County employee for the last five years at the Department of Public Works. For anyone familiar with Resolution 1205, you have to know that Department of Public Works is taking the hardest hit, along with Health Services. And I can't understand that, because your stimulus money is about infrastructure. Department of Public Works paves the roads, fills the potholes, dredges channels, maintains sewer systems, fixes bridges that are in need of repair. And I know this Legislature is very familiar with that, having a meeting recently about that, and yet we're going to cut the employees, and not just any of the employees, some of the lowest paid employees in that building that sweat, that shiver in the cold, that come home dirty, that come home smelly, and ruin their hands on the work they do every day for the County. But Mr. Levy does not care about that, because he just likes to threaten us, he likes to send us layoff letters. He'd like to tell us that we're under threat from him every day, and that if he can't get this, that he wants us to do lag payroll. I don't mind giving to help the next employee. I don't have a problem with that, but not if you're going to threaten my job at first. Why not get rid of the exempt employees? Why not lay off those people?

*(Applause)*

Why not eradicate the vacancies that you right now are still budgeting for? They're empty positions.

*(Applause)*

These people are real. These people have tax bills like I do. These people pay sales tax like I do. Why are we holding onto that? Why are we bonding consultants to come in and double-charge you for the same job we do for less? Because it's easier, because you can put it on credit and then hit the taxpayer with the expense? Instead, you're going to try and threaten us all with layoffs. And I know the Legislature had nothing to do with that. So, please, before you even consider what Mr. Zwirn was giving you, please, do not allow Proposition 1205 to go through. Excuse me, resolution 1205 to come through. And then maybe, just maybe, we can talk. But until then, if we're still under the threat of layoffs, no talking is allowed. And I personally right now know that all of you are up for election. I will be voting in consideration of that.

*(Applause)*

Mr. Romaine has already expressed his discontent with Mr. Levy, and I'm very proud to have him as my Legislative representative in the First District. Thank you.

*(Applause)*

**D.P.O. VILORIA-FISHER:**

Thank you. Our next speaker is John Sarno, followed by Joe Neiman. If you're next, can you start working your way up, because there are many, many cards; okay? Thank you.

**MR. SARNO:**

Thank you, and thank you for allowing me to --

**D.P.O. VILORIA-FISHER:**

And that's Joan Neiman. I'm sorry, I misspoke. Joan Neiman is on deck. Sorry, John. Go ahead.

**MR. SARNO:**

Okay. No problem. Thank you very much for the opportunity to speak. My name is John J. Sarno. I'm an employee of the Suffolk County Department of Labor. I am the AME Unit President for them, and I'm also a constituent. I'm here today because not only of the layoffs, but the whole resolution of givebacks. This Union has just, with the other unions of Suffolk County, just conceded to a 15 million dollar savings in the health insurance. Okay? We have already started to do our part, and, yet, we are the first people that you are coming to.

I want to talk about Budget Review; okay? I understand that the reason we are in this fiscal crisis is because of the sales tax. Does anybody honestly believe that putting 368 more Suffolk County residents on unemployment is going to help that sales tax issue?

*(Applause)*

You are compounding the problem. You're also compounding the problem with lag payroll. You're taking 26 million dollars more out of the County economy. You think those people are going to be shopping at Walmart? There has to be a more permanent solution.

Now, I had some other things I wanted to say, but then I heard Mr. Zwirn speak and that concerned me. Let's do the lag payroll and we can get on and talk about 2010. I think we need a more permanent solution to this problem than playing it day by day. If he's saying that the problem is over the next two years, then maybe we should sit down and discuss the next two years and get it all resolved, not that you come to us in 2009, and I can see you coming to us again in 2010. I don't think that's the solution. I'm sorry, I just don't agree with that.

*(Applause)*

I also was a little bit more concerned with Budget Review saying that we'll have more exact figures in April, in mid April. What's the rush to judgment if we don't really have the figures? We really need to know what the situation here is before we sit down at the table and start talking about concessions, and things we should do, and County -- we're about to make decisions here and we don't even really know the magnitude of the problem. These are all projections, and like I said, if you're projecting things, let's project the impact of some of these concessions. I appreciate the opportunity to speak, and I thank you.

*(Applause)*

**D.P.O. VILORIA-FISHER:**

Thank you very much. Joan Neiman, and Joan is followed by Peter Quinn.

**MS. NEIMAN:**

Thank you. My name is Joan Neiman. I am a custodian that works for DPW. I also clean this building that everybody is in right now.

*(Applause)*

I was very disappointed and very upset when I got one of those. I was one of those who got the 3,000 letters. And to hear that my job, and I've only been with the County for five years, was to be no more, and in this time of crisis, when we are willing to work for lag payroll, how come someone is telling me I will not have a job if we give back lag payroll? He's also telling us that we have to give up other concessions when we are willing to give lag payroll. Every day I read the paper, the news, and I hear there's 380 layoffs, 3,000 layoffs, and just today I heard on the news twelve hundred. Please do not vote for Resolution 1205, as I will not be here if that goes through. Thank you very much for your time.

*(Applause)*

**D.P.O. VILORIA-FISHER:**

Thank you. Peter Quinn. Peter Quinn is followed by Dr. Jon Korn.

**MR. QUINN:**

Good afternoon, members of the Legislature. I've been retired for 18 years, and I was appalled to read in Newsday about the potential for layoffs of twenty-two hundred workers, so my concerns are both job losses and some comments about bonding.

It's disturbing to think that we would lose a desirable workforce because of what's happened with the crashed Wall Street agenda for banks, the resulting 14 billion dollars in revenue losses to balance the State budget, and the ripple effect that that's had on not only this municipality, but all the municipalities across the State of New York. How do you reconcile all those losses, financial losses? You don't do it by laying off workers.

My father managed during the Depression to still work three days a week. That kept six of us alive through the Depression and beyond. And there are alternatives. You know, the lag payroll may be one of those last resorts, but I recommend considerations for the negotiators that they create a four-day work week where you work two days at 9 hours, two days at 8 1/2 hours, and then the workers have the benefit of one day, if you were able to stagger the workforce through that five-day work week. That would keep people at work, keep incomes coming in, enable people to spend, sales tax revenue would come in, they wouldn't lose their healthcare benefits, they wouldn't lose their eligibility for pensions, if they haven't reached a desirable age. But, more than that, there's a side issue of what happens with LIPA continuing to bond, which impacts adversely all of us. They, last year, spent 605 million in bonding. That impacted this year where we're spending 640 million dollars in debt service, amortization and interest payments that go to the very plunderers on Wall Street, the bonding firms and the rating agencies, who have crippled us where we can't recover.

What you need to do is the 90 million this year in bonds and the 60 million next year you said in bonding, that you call in the rating agencies and renegotiate. What LIPA did was sign a contract for five-and-a-half percent fixed interest on those bonds. They will be coming back for more bonding for the --

**D.P.O. VILORIA-FISHER:**

Peter, can you wrap it up, please?

**MR. QUINN:**

Yes. They will be coming in for more bonding for the Barrett generating plant, which is going to cost over a billion dollars by the time it's done. The wind farm negotiations between LIPA and Con Ed will cost us over a billion dollars, that will be bonded. And what they're seeking to do is put solar on wind -- on landfills and out in the fields. They will have to float -- they will have to float bonds for transmission lines for corrections.

**D.P.O. VILORIA-FISHER:**

Okay. Peter, I have to cut you off, because we have a lot of --

**MR. QUINN:**

Okay.

**D.P.O. VILORIA-FISHER:**

I have to cut you off.

**MR. QUINN:**

One final comment.

**D.P.O. VILORIA-FISHER:**

Make it quick.

**MR. QUINN:**

The best way to do solar is closest to the users' needs, atop residential roofs, business roofs and government facilities.

**D.P.O. VILORIA-FISHER:**

Okay. Thank you for your comments, Peter.

**MR. QUINN:**

To do otherwise is foolish spending. Thank you.

*(Applause)*

**D.P.O. VILORIA-FISHER:**

Okay. Thank you. Okay. Dr. Jon Korn, followed by Marilyn Engelman.

**MR. KORN:**

Suffolk County has agreed to co-purchase with East Hampton a 28-acre parcel in East Hampton called Boys Harbor. This is a luxury purchase that really shouldn't even be considered at this time for 7 1/2 million dollars. This parcel is adjacent to and affects the nature preserve that you already own. In order to protect the adjacent nature preserve and the environment, an Environmental Assessment Form has to be filled out. Suffolk has been given incorrect information, and has signed off on an EAF, an Environmental Assessment Form, with multiple improper statements. A few glaring examples:

The existence of the nature preserve that you're trying to protect, it's a 58-acre parcel, has been

denied, suddenly disappeared on this form. You deny the existence of Three Mile Harbor. It's been there for a couple of million years, but on the form it just disappeared. You deny that there's a public protest. Well, it's made the front page of a local newspaper, and an Article 78 lawsuit has been filed. You deny there'll be any change of traffic. Many other questions have simply not been answered on the form. If an ordinary citizen did this, the application would be thrown right out.

There's also a serious question, a very serious question, as to whether the appraisals and the purchase price are inflated and Suffolk County is spending millions and millions of dollars more than necessary. Your bond application indicates a cost of 300,000 for development. The published issued cost, however, is 1.5 million. An Article 78 has been started. Suffolk County has previously agreed to delay signing of the purchase contract until the Article 78 has been decided by the court, a logical decision. We were just advised, however, that where Levy is within days of signing this contract, in spite of the Article 78 proceeding. Ben Zwirn has indicated that this authorization can still be rescinded. We respectfully request that Mr. Levy await the determination of the court on this matter to justify this purchase as an active facility, which would harm the Nature preserve. By using a false or incorrect environmental form is a slap in the face to every law-abiding citizen.

**D.P.O. VILORIA-FISHER:**

Thank you.

*(Applause)*

Our next speaker is Marilyn Engelman, followed by Michael Osinski.

**MS. ENGELMAN:**

My name is Marilyn Engelman. That's M-A-R-I-L-I-N, and the Engelman is E-N-G-E-L-M-A-N. I'm the convenor of the Gray Panthers of Suffolk County. If everybody doesn't know what the Gray Panthers are, it was started by a 75-year-old feisty woman back in the '80's, and we fight for social and economic justice.

And the subject I'm going to bring about is a little social injustice. What it is, one of the things that I do, among many, is I get speakers for our meetings, and one of the speakers was supposed to be George Roach from the New York State Legal Aid Senior Division. And while I was talking to him on the phone, he said that there's a problem. They want to take his group of people to -- from Bay Shore to the Central Islip Criminal Court Building on the Fourth Floor. The problem is that a lot of people that come for help are very old, very frail, very intimidated. Going through a line, through machines, and everything, is going to be intimidating, but the most important thing is a lot of them have walkers, canes, wheelchairs. They cannot walk very far. It's hard to -- I have a back problem from work injuries, I can't stand having, and I asked a question, where the elevators are in that building. It's about 500 yards down at the other end of the building, which is too much for these people. They don't deserve this. They need to -- I know they want to save the money and put them in a County building, which is fine, but not a courthouse, which is a very -- people have been there. It's a very busy, intimidating place. I hope they can find another place and not do this to the people that need this service, because it is a federally mandated program carried out by the County, and it will die, and the people won't -- they'll be afraid to go for the services. Thank you.

**D.P.O. VILORIA-FISHER:**

Thank you.

*(Applause)*

Michael Ozinski, followed by George Roach.

**MR. OSINSKI:**

Hi. My name is Mike Osinski. I'm one of the Village Trustees of the Village of Greenport out on the East End of Suffolk County. I'm here to discuss Item Number 1164 on your agenda. That is the

purchase of a parcel that the Village owns called Clark's Beach as land preservation by Suffolk County. This purchase has been in the works, in discussion for three years, and, as of today, all the reviews, contracts and surveys are complete.

The Village, ironically, about ten years ago got itself into debt by doing land preservation. We built a -- if you've been to Greenport, you see there's a nice beautiful park and it's highly used, Mitchell Park in the center of the village. Unfortunately, grants from the Federal Government and State did not arrive, and the Village, at that time, borrowed money to build these parks. Now those bills are due, and the Village must -- you know, we must pay the debt off. So, in an effort to pay off the debt, we are selling this asset that we own. It's a parcel of land on the sound that we can't afford to open to the public. We've chained it off. We hope that the -- you know, if the County buys it, they can use it as parkland, but we cannot afford to maintain it.

This sale would alleviate our debt burden. If this sale does not go through, I, as a Village Trustee, must go back to the board and we will go through this process of laying off people to pay our debts. So, you know, this has been going on for three years. If the County was not earnest in its -- in all these contract negotiations, I wish that they had told us three years ago when prices were high. We could have sold that property and alleviated all our debt. We've been going through negotiation with the County and we hope that the County follows through with all of its contracts and purchases the property, I think everybody would benefit. The citizens of Suffolk County would have access to a beautiful piece of Sound front. Thank you very much for your time and effort.

*(Applause)*

**P.O. LINDSAY:**

Thank you. George Roach, and Jim Gallagher is on deck.

**MR. ROACH:**

Presiding Officer Lindsay, Members of the Legislature, my name is George Roach. I am the Chief Attorney for the Legal Aid Society Senior Citizen Division. A couple of months ago this body had some very tough choices to make, as far as funding different organizations. You chose to fund the Senior Citizens Division of the Legal Aid Society, and I am eternally grateful for that. The County, because of the fiscal situation, as you know, has chosen not to renew the lease on the building we are presently in. It is my understanding that we will be moving to the Fourth Floor of the Dennison Building over in the Cohalan Court Complex.

And for the record, I personally, and the Senior Citizens Division of the Legal Aid Society, we have no problem moving there. I am quite comfortable in the courthouse. Thank God I'm healthy, I can get from my car to the building. The Office of Court Administration gives me a secure pass, so I don't have to stand on line at the metal detector. And once I'm in the building I know where I'm going. That's not true for a lot of the senior citizens who come into our office seeking the legal help. Those people are here in the audience today. They will be speaking to this issue, as Marilyn Engelman just did. And I'm just going to keep it brief. You have a lot on your plate, and I would ask you to keep this issue on your radar screens, find an alternative place that maybe we can go, and we won't have this problem of access. Thank you very much.

**P.O. LINDSAY:**

Thank you.

*(Applause)*

We have one more speaker. Go ahead. Did you want to say something?

**MR. ROACH:**

No further questions.

**P.O. LINDSAY:**

No, we can't ask questions --

**MR. ROACH:**

Thank you.

**P.O. LINDSAY:**

-- under this portion. Jim Gallagher is going to speak on Legal Aid, and then I'm going to break for like very short, because we didn't give out a proclamation before, because the two men weren't here, they just arrived. Go ahead, Jim.

**MR. GALLAGHER:**

Good afternoon. My name is Jim Gallagher. I turned 77 years old last January. I've lived in Ronkonkoma since May 1960. I'm a member of SAD, Seniors Against Discrimination. We have a membership of about 3,000. I'm concerned that the Legislature's plan to move Legal Aid will surely make it more difficult for seniors to access the service.

We Suffolk County seniors formed SAD because the government set up a program designed to help all seniors. Then someone came along and changed things, making it harder for some seniors to access the benefit. Obviously, a benefit that the senior needs, but can't access, is no benefit at all. When it became too difficult for me, I dropped out of their plan. But that's what CMS, the Center for Medicare Services, did to Suffolk County seniors. That's the very reason SAD was formed. Now it appears, here we go again at the County level. That's why we're here to protest the plan to move the Legal Aid Office from the ground floor location, where it's easy to park and the entrance is just a few feet away, to a Fourth Floor location in a huge complex where seniors will surely encounter crowds and difficulty parking.

Frequently, at such complexes, the nearest spaces are taken by the employees and other early arrivals. Seniors will surely be faced with a long walk. Some seniors have difficulty walking. I'm not referring to seniors with handicapped stickers, I'm talking about seniors in general. Spaces will certainly not be a mere few feet from the entrance. If they're able to get from the car to the building, once inside the court building they will likely have to stand on line and go through security. Some seniors have difficulty standing for long periods of time. They don't have to do that at the present location.

Another thing they don't have to do there is stand alongside criminal defendants. If anyone wants to give seniors agita, or worse yet, discourage them from using the service, offer them a benefit, then make it difficult for them to actually get it. We SAD members know about this type of thing, because that's what Medicare is doing to us. It's very discouraging. Does Suffolk County intend to follow a policy of making things harder instead of easier? We hope not. Please don't place this added burden on seniors. Seniors need the Legal Aid Office at a location where access is easy. If change is necessary, change for the better for seniors, not worse. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Thank you. Thank you, Jim. I'd like Brian Beedenbender to join me at the podium to present two proclamations, which are lifesaving awards, really. You might have read in the paper this morning about a horrific accident at Ocean Avenue and Lakeland Avenue in Bohemia yesterday, and a volunteer firemen and two gentlemen that were working in the area pulled a driver out of a burning car and literally saved his life, and we have these two gentlemen here with us tonight. One is Richard McInerney, and the other is Edward Beedenbender, Brian's father.

*(Applause)*

**LEG. BEEDENBENDER:**

My dad gets better press than I do. I just -- you know, it's easy to talk about my dad, and he can't stop me right now, but, I guess, congratulations and thank you for being so bold.

For those of you that didn't hear the story, the car crashed and it was on fire, and while it was on fire, they were bashing the windows with fire extinguishers trying -- and then once they got the windows opened, the car was on fire, they were fighting the fire, covered in fire extinguisher dust while they were trying to pull the guy out, who was fighting them. So, eventually, he got grabbed by the back of the collar by this man, who I still don't start arguments with, and dragged out of the car. So thank you very much. And for those of you, we don't know the name of the gentleman, but he's a professor at the Community College, so he's a County worker as well. So, Rich, thank you. Dad, thank you.

**P.O. LINDSAY:**  
Congratulations.

*(Applause)*

**LEG. BEEDENBENDER:**  
That's it. See, I told you it wasn't that bad.

*(\*Laughter\*)*

**D.P.O. VILORIA-FISHER:**  
Okay. Our next speaker is Judith Wishnia. And Judith is followed by Barbara Chadakoff. Judith, you have three minutes. You can go ahead.

**LEG. BEEDENBENDER:**  
Well, I don't want to be rude. We're just taking the picture.

**D.P.O. VILORIA-FISHER:**  
Oh, okay. All right.

*(\*A Photograph Was Taken\*)*

*(Applause)*

Okay. Go ahead, Judith.

**MS. WISHNIA:**  
I'm Judith Wishnia.

**D.P.O. VILORIA-FISHER:**  
Make sure your mike is on. There's a button right at the top.

**MS. WISHNIA:**  
Okay. Is it on?

**D.P.O. VILORIA-FISHER:**  
Okay.

**MS. WISHNIA:**  
I can use my professor's voice. I serve on the Women's Advisory Commission to the Legislature, representing the great Fifth District, Vivian, and I'm also Chair of the Housing Committee. You will be receiving a formal report from the Commission, but today I really came to you to speak about

something that is very crucial at this moment and that is the question of foreclosures.

As many of you know, Suffolk County has the fourth highest amount of foreclosures in the State, and hundreds of people are losing their homes. Now, I know that you don't have much control. A lot of the decisions are made by the Federal Government, by the State government, and so forth. I know you're trying to help renters, so they'll be informed ahead of time when there are foreclosures. But, in terms of the foreclosures, the best solution, as we all agree, is to keep as many people in their homes as we can. And with that in mind I'm going to suggest something where you can really do something, and that is there are many organizations which are available to help people make new arrangements, to find out how to get a mortgage, how to pay off their mortgage, but -- or to make new arrangements with the bank, and you can use your bully pulpit to get that information out. A lot of people are struggling and they don't know where to turn. So I -- what I have with me is brochures and posters that I hope you will use in your offices. Okay. Oh, thank you. I was going to ask you how to get rid of it. Here. In your offices when you speak.

And if you have any influence, it would be great to have public announcements on Channel 12, on radio stations, and so forth, to get the information out that there is help for people, because we want to keep as many people in their homes as we can. We've been listening to all the people who are worried about foreclosures and we have to do something about it right now. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Thank you. Barbara Chadakoff, followed by Alison Sanchez.

**MR. CHADAKOFF:**

Hi. My name is Barbara Chadakoff, and I've been a resident of the Town of Huntington for almost all of my life. Jon Cooper is my Legislator. And I have been working for the Suffolk County Police Department for over 39 years and the other day I got a layoff letter. I was pretty devastated, but I was more than devastated, I was angry. And what I am really here to say right now is that I understand from what I'm hearing here today is that you are not all in favor of enforcing Mr. Levy's letter, and I am so grateful for that, not for myself, but for so many other people that probably would be affected. I've been around a long time. I now know what it feels like to get a pink slip from a safe place, but I also ask that you consider the fact that the Suffolk County employees are not the only way to balance the budget. There are over one million other residents in Suffolk County. And even though none of us want to pay more, I think that all of the financial crises should be spread across all of the County of Suffolk's residents, and not just put onto the back of the working force. And I thank you so much.

*(Applause)*

**P.O. LINDSAY:**

Alison Sanchez, followed by Mike DePaoli.

**MS. SANCHEZ:**

Thank you to the Legislators that decided to stay in the room. I'm a Probation Officer, and I'm also a Suffolk County taxpaying citizen living in District 5. I'm not a politician or a mathematician, so I won't pretend to know everything, nor presume that Mr. Levy's been completely truthful about the unions not being cooperative, or how someone came up with the figures in question, but I do know right from wrong, and here's something that's wrong. I notice that layoff notices were mailed out to the majority of my Department, as well as many other Departments, before a Civil Service layoff analysis was even requested. How much did that cost the taxpayers in postage, paper, toner and the manpower, by the way?

*(Applause)*

How reckless and inhumane to mail these notices to some people with 30 years on the job. That's a great way to waste money and instill fear into people for a self-serving purpose. Whose job could that money have saved? I know that, as a civil servant, I provide a service that is needed by the citizens of this County, as do all County workers. We all provide a service that helps this County to run. We all provide a service that helps the citizens of this County, whether they know it or not, and, believe me, when they need it and it's not there, or the service is under par, they notice. When they call 911 and they get put on hold, when the highways aren't paved or plowed, when there is no one to give them emergency housing or home heating fuel money, they notice. When they want to complain to Consumer Affairs about poor service they receive from a contractor, they'll notice. I also think they'd be willing to have their taxes raised a dollar or two to ensure these services. I know I am. I read the message boards and the arguments for and against layoffs of County workers. I see the people who think County workers are lazy and getting rich off of their tax dollars. Well, I will tell you, I am not lazy, and I, like 99% of the people employed by this County, am not getting rich from my job. I do what I do because --

***(Applause)***

I do what I do because I love my job. I come in early and I stay late. I work through breaks that I am entitled to take, and, more often than not, lunch as well. I, like County workers, provide a service to the public that absolutely everyone needs or will need. This leads me to my next point, the Probation Officers. Unfortunately, most people have no idea what we do. We are law enforcement officers who supervise criminals. One hundred percent of my caseload is convicted criminals. There are nearly 15,000 people on probation in Suffolk County alone right now. The court sentences these criminals to community supervision, and it is my responsibility as a P.O. to make sure that the criminals I am responsible for are getting rehabilitative services, complying with their conditions, working or looking for work, paying restitution, doing community service, and, most of all, staying out of the trouble. I have made arrests for DWI, possession of a controlled substance, driving without a license, and criminal contempt. The convicted criminal I am responsible for supervising is less likely to recidivate, because he knows I am watching, and that the consequences will be steep if he fails to comply.

If you remove Probation Officers from this County, not only will you be essentially reversing a sentence of the court by not allowing these criminals to be supervised in the community, but you are sure to see the crime rate go up. Don't kid yourself into thinking that these people will just -- that work will get spread thinner and the P.O.'s will left -- will be left with just bigger caseloads, it doesn't work that way. There will be uncovered caseloads, and, believe me, probationers know what they're not being supervised. We can only do so much when you take our staff away. P.O.'s will be reduced to just putting out fires and writing violations to the court after a new crime has been committed, rather than preventing it from happening in the first place. One of the P.O.'s who was most recently hired and will be the first to get laid off covers the probationers in the town that I live in.

**P.O. LINDSAY:**

Alison, you're out of time, if you could wrap up.

**MS. SANCHEZ:**

What about the Town that you live in? Thank you.

***(Applause)***

**P.O. LINDSAY:**

Mike, followed by Brett Martinez.

**MS. DEPAOLI:**

My name is Mike DePaoli. I'm a Vietnam Vet. I'm proud to be a resident of Suffolk County, and I'm here just to bring out an important point, as we extend our problems without any solution, per se, based upon our economy, based upon job losses, based upon the uncertainty of tomorrow. Well,

one thing is really uncertain and that's our voting rights, our election system. In Suffolk County, and the Towns, and Villages, there is no election when we only have one candidate on the ballot. You people run with job security. You people have the opportunity to go ahead and speak up for your constituents at no cost and no risk a lot of times, because you have no competition on the ballot. We run a two-party system with one candidate. Where is open government? Where is transparency?

You people are all up for election. You can call for Federal, State and local investigations about corruption, about fraud, about cronyism, about political kickbacks now while you're in the campaign season. Americans are dying as we sit here today, as we talk and we discuss about jobs, job security, but you have job security, more than a lot of people that are on the ballot this coming November are going to have job security. Where is the security for our constitution, where is the security for our system of checks and balances? I ask, please, preserve, come out and preserve our voting rights and support the idea of doing away with cross-endorsements. Support the idea of doing away with only one candidate on the ballot. What kind of democracy is this if we only wind up with one solution?

These people over here are residents, are constituents, are taxpayers. What are their rights come November? Well, you have job security. Give them now an opportunity to vote, vote for candidates that have oppositions to maybe your own, and maybe ask and find some solutions. November is coming right around the corner.

I'm Mike DePaoli, I'm a Vietnam vet. There are a lot of veterans in this room that have fought and are dying today for their rights to open democracy. I ask that you now pay heed to our Constitutional rights, the right to vote. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Brett. Brett, would you like to sit down over here and testify at the table?

**MR. MARTINEZ:**

No, thank you, sir. I appreciate that, but I'll stand. I thank you for this opportunity today. My name is Brett Martinez. I am a Suffolk County employee, I'm a Fire Marshal with the Department of Fire, Rescue and Emergency Services. This is my retired partner, accelerant canine, Cinder. I'll get to him in a minute. But what I'd like to say is, first off, I'm not one of those directly targeted, currently targeted for layoffs, but I did feel it was important enough to come here and speak on behalf of my other fellow County employees.

I don't want to speak about what our County employees do day to day. In my job I get to see them day to day, but also during emergencies, during crises, whether it was the November -- the Halloween storms of -- known as "The Perfect Storm", or whether it was Hurricane Bob, or Flight 800, or the wildfires. I can tell you that the principles and values of these employees go above and beyond what they do in their day-to-day job. What do I mean?

*(Applause)*

What is that I mean? Basically -- very recently, I attended a meeting with some -- another union person from a private union, and he kind of tried to explain to us what we, as County employees, can do to make it known to the Legislature, to the County Executive of what it is we really do. And I understand what he was getting at, but I don't think those principles and values -- I know I can only speak for myself, that's not the person that I am. I'm not about to start doing a slowdown in my job. I know where I work people's lives are at risk, so I'm not about to start doing those things. And I think -- I don't speak for the rest of the County employees, but I'm pretty sure that their principles and values also go along with that. Now, I don't know where the County Executive's principles and values are, but I would plead to you folks here today, and that's what I'm here to talk

about.

My partner here, who's now retired, was trained by the Federal Bureau of Alcohol, Tobacco and Firearms as an Accelerant Detection Canine, and he had a tremendous career, there's no doubt about it. But one day not too long ago we were asked by the U.S. Attorney's Office and the Metropolitan Transit Authority to work on a counter-terrorism project, far and above what it is we normally do. And we could have easily said, "You know what, that's out of our realm, we don't do that work," but we do. We stepped up to the plate and we did it anyway, and, quite frankly, it may have been a national security matter that was deferred. The point that I'm making here is that his replacement, Canine LP, which was started under Mr. Levy and was now brought up -- I should back up. This program was originally started under Mr. Halpin, who's standing outside, and under Mr. Levy it was expanded for that counter-terrorism purpose, besides what we normally do. But currently, that canine is one scheduled to be laid off. The handler is the next person up, so we'll be without a canine.

*(Applause)*

Now, we have one other dog, but that -- the current one would be laid off. Now, if that's what Mr. Levy wants to do, that's fine, but I don't see how that stands up for his principles and values, I know it doesn't stand up for mine.

I thank you for your time. I plead with you to think about this resolution. God bless America, and God bless the County employees of Suffolk. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Very good, Brett, that was exactly three minutes. Joseph Stasys, followed by Vincenza Lorey. Hey, Joe.

**MR. STASYS:**

Thank you, Mr. Lindsay. My Legislator is Ed Romaine, I've been a County employee for over 23 years. I've gone through this during the Halpin years with the threat of layoffs. I'm here to tell you that prior to this, I did do a study on my pay scale, and currently I'd say I'm working 30% less than what the cost of living came up. I'm willing to sacrifice that for the public.

I've got a couple of questions that I would like Mr. Zwirn to answer to you. As a taxpayer, in 2003, I was paying \$70 for my County tax. Mr. Levy swore that he's lowering taxes. I'm now paying \$6 more than I was. That's 6.9% more than I was before he got in, and he's been lowering them. Last year my new tax bill came out, he lowered it 2.1%. Now, they have this crystal ball up there where they know how much they're going to need. Obviously, they need our help now. Why did they lower it by 2.1% when it's so hard for him to ask you to just raise it .4%, so that he could use his money? And thirty-three hundred of my brothers and sisters out there are working just as hard as everybody else, and we're asking you to just do the right thing. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Vincenza, followed by Gail D'Ambrosio.

**MS. LOREY:**

My name is Vincenza Lorey. I am just going to read a letter that I E-mailed late last night to Mr. Eddington. I've worked for Social Services for twelve-and-a-half years and I also received a letter.

As an employee, longtime resident, and taxpayer of Suffolk County, it saddens me that any representative in Suffolk County Legislature may likely follow the Suffolk County Executive in

continuingly targeting the very people that worked so hard to keep the County going. It has been stated in a letter to over 2,000 employees, dated 3/20/09, from Mr. Tempera, that, "It is regretful that this course of action must continue to be pursued to keep the County fiscally sound." Should keeping the County fiscally sound only be on the shoulders of Suffolk County workforce, or shouldn't this burden instead be shared by all Suffolk County residents?

Compare a possible small increase in taxes to each household, or small sales tax increase, instead of upwards of a few thousand dollars, in most cases, and loss of pay with the lag, or a total loss of income due to layoffs to just Suffolk County employees. How unfair and morally wrong. Do you know how many of us employees are one-income families, how many of us have one income with children, how many of us have spouses who are unemployed already due to the economy, how many of us have spouses retired on fixed incomes, how many of us have second jobs in order to afford living here, and how many of us are actually receiving benefits from Social Services because of the income and family size that they have? Do you know these answers? Probably not, yet you're possibly willing to have us bear that burden again, rather than rightfully have all residents of Suffolk County to share in the loss and burden equally. Please consider this when you vote on the layoffs and concessions, and please do what is right and vote no. Thank you.

***(Applause)***

***(\*The following was taken & transcribed by.  
Alison Mahoney - Court Stenographer\*)***

**P.O. LINDSAY:**

Gail, followed by Cheryl Felice.

**MS. D'AMBROSIO:**

Good afternoon. My name is Gail D'Ambrosio and I am the President of the Suffolk County Probation Officer's Association, currently a Senior Probation Officer for the Suffolk County Probation Department and a taxpayer of Suffolk County for over 30 years.

I am speaking on behalf of the 287 active members of the probation Officer Association. Probation brings revenue into Suffolk County. Probation is a cost effective alternative to incarceration. Those convicted are required to pay a fee for a presentence investigation when requested by the court. These investigations help the court make more informed and accurate decisions in determining sentencing. In 2008, there were over 5,000 of these reports generated by Probation in less than nine months. In addition, if restitution is ordered by the court in an attempt to give some compensation to the victim, Probation Officers collect it.

There are over 15,000 people on probation in Suffolk County. It costs more than \$238 a day to incarcerate a person in the Riverhead County Correctional Facility. It costs approximately \$250 per day to supervise them on probation. Even the most intensive forms of supervision only cost approximately \$8.50 per day. Further, once sentenced to probation, the probationer is directed to pay monthly fees for this privilege. Probation again is very cost effective and brings revenue back to the County.

Since Saturday, March 21st, 2009, almost all of my members, Probation Officers, have received official notification letters from the County Executive's Office indicating that as per Resolution 1205, their position will be abolished or they could be affected by the layoff process of bump and retreat. Members with 35 years service in the County have received this letter; my own letter is framed at our union headquarters. Some of the things in this letter are just not true. These letters don't help me have a serious dialogue with my members. It has done nothing but cause unnecessary chaos, panic and pain amongst them.

Once again, there are over 15,000 people on probation in Suffolk County. Some of these people are on probation for misdemeanors such as petit larceny or criminal mischief. Many are on for more

serious felony offenses such as assaults, DWI's and sex offenses. There are also over 1,000 juveniles on probation. Last year there were an additional 974 PINS Diversion and juvenile cases opened. People are not going to stop committing crimes and arrests are not going to stop because we are facing a fiscal crisis; if anything, in poor economic times, crime will increase.

We currently have 37 vacancies for Probation Officers alone. Laying off Probation Officers is not a good strategy to cut costs. We understand that there is a fiscal crisis in the County. We have never been opposed to meeting with the County to discuss possible solutions, but we are asking for fairness and a mutually agreed upon, long-range plan. We do not want to be back in the same place next year as we are today.

October, 2008, marked the 100th Anniversary of Probation. For over a hundred years, Probation Officers have been serving Suffolk County by protecting the community and rehabilitating offenders. Thank you.

***Applause***

**P.O. LINDSAY:**

Thank you, Gail. Cheryl Felice followed by Danny Farrell.

**MS. FELICE:**

Thank you, Presiding Officer Lindsay. I just wanted to make all of you aware what we did this weekend. These are the letters, these are the letters that came in from County Executive Levy. This is what we spent all weekend doing, consoling the members who got these letters.

My name is Cheryl Felice and I'm the President of the Suffolk County Association of Municipal Employees

***Applause***

On March 17th, 2009, Resolution No. 1205 was tabled in committee, but unfortunately in Suffolk County, it was business as usual. In spite of the fact that the County Executive had no right and no authority by this Legislative body, the coequal branch of government, he decided to unilaterally defy the wishes of this body and send out, I'm told, 5,000 potential layoff letters and disrupt all these lives. What he did was unconscionable. And I never thought I'd say that maybe Pat Halpin was better, I never thought I'd say those words, but Pat Halpin never even stooped to these levels; and I understand he's here and I'm sure we'll have a conversation now that I said that.

***\*Laughter From Audience\****

But nevertheless, business as usual was residents, Legislators and employees be damned. Residents be damned because the Suffolk County Executive sits on a \$131 million Tax Stabilization Fund, although the County Charter limits this to reserve to 120 million. And still there is no effort before today, by the way and when I wrote this speech, there was no effort to tap into that fund, so I am pleased to see that there is an effort to tap into that fund and I believe our membership will be pleased about that as well.

***Applause***

The Legislature be damned because although, as we said, Levy had no right to call for layoffs, and although this layoff plan calls for less than 400 layoffs, he decided to disrupt the lives of half the work force in Suffolk County this weekend. Even in the best business practice, you never send out a layoff on the weekend, never, never, and this is what Mr. Levy did. He's touting the highest bond rating ever and still, up until today, refused to tap into that Stabilization Fund and put the risk on the back of all of these workers.

And employees be damned because no matter how hard they work, no matter how much -- how more -- how much more they do with less, Levy unilaterally disrupted their lives of every County worker. Because as you've heard County workers say, even though they're not on the list, they're concerned about those County workers who are and they're all ready to give to protect those workers.

*\*Timer Beeped\**

I would just ask, respectfully ask that you indulge the conclusion of my statements; this is very important for every worker and every constituent in this County. Every County employee has gotten this notice and immediately called their union, just like their County Executive asked them to do. But they didn't call their union to say "roll over", and they didn't say -- because County Executive Levy said "Jump", they didn't say "How high?" They're shaken, they're frightened, and the bullying tactics will not be tolerate by AME and should not be tolerated by you.

I have been in constant contact with the County Executive's people and made myself available to discuss the total fiscal problem and how -- in which ways AME can offer its assistance. But I will not sit in negotiations with a gun pointed and loaded at my head.

*Applause*

We are union; we're one-for-all, we're all-for-one. We do not fear negotiations, but we will not negotiate out of fear. My members, your employees, deserve better. Thank you very much.

**P.O. LINDSAY:**

Thank you, Cheryl.

*Applause*

Dan Farrell followed by James Stamos.

**MR. FARRELL:**

Good evening. My name is Dan Farrell, I'm the Treasurer at AME, I'm a West Islip resident in Legislative District 11, and I do always vote. And I am a Suffolk County employee for 25 years in DPW.

I'm not only opposed to this resolution, 1205, and I hope you will oppose it with me, but I'm opposed to any resolution that contains any layoffs in Suffolk County. Because we have a bunch of hard working Suffolk County employees here, and even a lag payroll is going to hurt; it's not going to help the economy any either. And as was stated earlier, two of the hardest --

*Applause*

Thank you. Two of the hardest hit areas were Health Services and DPW, and I take personal offense to the DPW because I've worked there for 25 years. Mr. Levy wants to basically abolish the auto mechanics at the garages that work on the Police cars and have background checks to do so and approved to do that and do a hell of a job with those Police cars, if I may say so myself, and he's looking to abolish all of them. So what does that mean? They go out to a private company and they service these Police vehicles and will they get the quality and the care that these other Suffolk County employees give to fixing those vehicles? I don't think so. And again, Mr. Zwirn said the problem here you're having with your budget is sales tax revenue? Well, how about this; why don't we raise the sales tax a quarter of a percent, let all of Suffolk County share in that pain and not take it out on the back of the Suffolk County workers. Thank you.

*Applause*

**P.O. LINDSAY:**

James Stamos followed by Marie Sweeney.

**MR. STAMOS:**

Hi. My name is James Stamos, I work for the Suffolk County DPW. And I want to state that there -- first of all, I got a layoff notices, I've worked there for about 35 years. I also want to say that there's five of us and we take care of 450 miles of road, you know, that's a lot of road for five men. You know, besides patching the holes and repairing the guardrail and repairing the right-of-way fence and responding to complaints and, you know, fixing things and going out, sometimes even being run off the road by crazy people, you know? It's true. You know, but, um -- you know, I can say that we work hard, you know. And I heard Mr. Levy say -- or read in the paper that he's concerned about people losing their homes. I tell you something, if he issued an Executive Order, you know, and they deleted the whole portion of the County taxes, these people would still lose their homes. I mean, because it's not -- it's not the County tax that's killing them, it's the school tax, let's face it. That takes about over half of their tax bill, it takes up more than the County tax and town tax put together. You know? I don't see how it cost so much to run a school, and I don't see why they can't run a school two years in a row on the same budget, you know. It just makes no sense to me.

You know, we -- you know, that -- you know, I just -- I'm amazed at this. I mean, I don't have a lot more to say but, you know, I know that this is wrong, these layoffs, and I know that lagging us isn't the solution either. I mean, you know, I could see raising the sales tax, I could see going to Albany, I could even see paying a few more dollars on my County tax because it's really not that much. You know, the people of Suffolk County seem to think that we are the ones who, you know, I mean, are responsible for the whole tax bill and we're not. It's time that they really looked at their tax bill and really, you know, I mean, got educated. I mean, because every year they go down to race their property tax. Every year they go down and then these same people complain and belly-ache about their -- you know, their tax bill. It makes no sense to me. That's all I've got to say.

*Applause*

**P.O. LINDSAY:**

Thank you, James. Marie Sweeney followed by Debra Alloncius.

**MS. SWEENEY:**

Hi. My name is Marie Sweeney and I've been a Suffolk County resident since 1974, paying taxes. I have three adult children who also live in Suffolk County and pay taxes to the County.

I've been a County employee for the last nine years. I'm a Nurse Practitioner and I work in Health Services in Patient Care, and my speciality is women's health. And I was one of the workers who got a layoff letter on Saturday, and it was very upsetting to get a letter on the weekend when there's no one to call, except for my union who happened to be in and I could speak to someone in the union. I'm angry about the letter and I'm also amazed that they could excess my job, because since the economy has declined my work has gotten harder. I see more patients now than I've seen in the last five or six years working for the County. I serve the underinsured and the uninsured, and with all these layoffs, I'm sure there will be more people coming to be served by the clinics in Suffolk County.

I think that we all do a great job and I hope that you all oppose the Resolution 1205. And just keep that in mind, that the workers are also the voters in Suffolk County. So if you people don't want to be laid off after the next election, I think you should vote now in favor.

*Applause*

**P.O. LINDSAY:**

Debra?

**MS. ALLONCIUS:**

Good evening, Members of the Legislature, Presiding Officer Lindsay. My name is Debbie Alloncius, I am the Legislative Director for the Suffolk County Association of Municipal Employees.

All I can say is my members are here to share their pain with you; and I know you do share that pain, I've had conversations with each and every one of you. Know that there are rumors flying, we're not willing to talk, we're not willing to do this, the County Exec is not willing to come to the table, is not willing to take the Tax Stabilization Fund, put it on the table. It's great that that's going on now and I can -- and I know we have Presiding Officer Lindsay to thank from the bottom of our hearts for all the hard work he's put into this. Yet I sit here and I listen to BRO who do an absolutely excellent job, and they're talking about the 238 million. But there are certain things that -- we have to give 69 million from the General Fund to the Police District to keep the Police District taxes down. Well, you know what? What happened to the funds that were available through {ARA}? I assume that what I read on NYSAC yesterday was true, that the County Exec has indeed filed for the funds for the Police to -- for the hiring, not just for the other grants that were available; that would take 69 million right off the bat, right out. There are too many millions floating around.

We -- I appreciate you pursuing all that can be pursued on behalf of all your constituents across the board and I hope we can come to an amenable solution. We know -- you know we're all taxpayers, you know we're here for the long run. You're hearing people 35 years on the job to get a layoff notice. DPW, he's just dismantling again like he's doing the Health Department. You can't do this to these departments, you need to keep your men working. You need the auto mechanics to keep taking care of those cop cars. That's not fair. You need the helicopter mechanics who are trained, they're -- you need to keep these people, they're vital to your existence.

I would never stand here and threat and say that I'm not going to vote for each and every one of you, I know how hard you work. But I will tell you this; that the -- I hope that that rating that Mr. Levy has is plummeting now, I hope the public is aware of how egregious he is to attack his workforce when he is not indeed willing to be honest with himself and with you and with the unions and come forth and work on a plan. I thank you for your time and your efforts and look forward to a fair and equitable solution. I thank you.

*Applause*

**P.O. LINDSAY:**

That's the last card in the public portion. Is there anybody else that would like to address the Legislature? Yes, please come forward and identify yourself.

**MS. DARREN:**

Hi. My name is Jackie Darren, I'm here on behalf of All-State Insurance Company. First, on behalf of All-State, I wanted to thank Legislator Stern for inviting us here today and for all his support to help raise awareness amongst our teen drivers.

Last year we stood before you to talk about All-State's Safe Teen Drive Program, offering \$1,000 to all public and private high schools across Long Island to teach their students how to make smart decisions on the road. I'm happy to report back to you that 56 school districts in Suffolk County took advantage of that grant opportunity. Some of them participated in Grim Reaper Day, some of them had assembly programs.

In 2009, through the All-State Foundation, we are doing this again for 100 schools across Nassau and Suffolk County. All high school principals have received an e-mail on March 16th with an electronic application; to date, only ten Suffolk County schools have applied for this grant. We wanted to reach out to you not only to thank you for your support with this program in the past, but to ask you for your continued support going forward.

The time between Memorial Day and Labor Day is known as the ten -- the one hundred most

deadliest days for teen driving fatalities. Last year, with the help of Legislator Stern, you declared May as Youth National Traffic Safety month, a month solely dedicated to educate teens on the fatalities that happen on our roads. If you are interested in attending any of these school events, please contact us. And once again, thank you for your support in helping raise awareness amongst teen drivers across Long Island.

### *Applause*

**P.O. LINDSAY:**

Thank you. And Jackie, I apologize, we missed your card in the pile, it was my fault.

**MS. DARREN:**

That's okay. You saved the best for last.

**P.O. LINDSAY:**

All right, thank you. I'm sorry. Before we move off the public portion, I'm going to exercise a privilege of the Chair. I just want to comment on some of the things that were said tonight, because there seems to be a lot of confusion.

1205 is not before us tonight, we're not voting on it tonight. The -- one of the things that I hope everybody walked away from tonight is the seriousness of the problem. We definitely have a serious problem, and the only way we're going to get out of this problem is working together. I cannot undo how the Executive goes through negotiations, but I think that we have to find a way out of this problem. And there is nobody, not one of us 18, that want to lay anybody off, but we have a very serious problem.

Some of the quick solutions that were offered, we do use some sales tax money to subsidize the Police District; that isn't to hire new Police, that's to help to pay for their salary so that the Police Tax is not exorbitant and drive people out of the house.

There is Federal money in the pipeline to hire Police for the next three years and we intend to get that money, use that money and hire Police with the Federal money and in turn will save some money towards the problem.

The bill that Mr. Zwirn talked about tonight -- although I haven't read it, I have been briefed on it -- about different pockets of money that are coming to us to try and plug this hole and that's one of them, is the sales tax thing. We can't raise the real estate taxes to plug this hole. We'd have to raise real estate taxes about 120% in order to plug the hole, and that is not a viable solution, and we can't raise real estate taxes in the middle of the year. We could raise them in the fall for 2010, but the tax bills have already went out. That's why there's a fiscal emergency this year that we're short of money that the County Executive can tap the reserve funds without raising taxes.

There is a movement afoot of trying to save dollars every place and any place we can. Although it's small, it is symbolic that myself and many other Legislators have joined me and have not taken an increase in salary this year. We're foregoing our mailings for the next 18 months by the Legislature; it doesn't sound like a big deal. Unfortunately, I had to cut staff here two weeks ago and we let four people go, I have two vacant positions that we're not filling, combined means a million dollars. It doesn't come close to filling the gap, but it's another million dollars.

I thought it was very -- much progress to see the Executive commit to use the reserve funds, commit to come forward with an overall plan that we can work with, that your union leadership can look at, make suggestions, help in the solution of the problem. We need problem solvers, we don't need to point blame at each other.

So I hope tonight's exercise, it was a tremendous showing of force, of the workforce. I think

everybody at this horseshoe respects the work that the County employees do on every level, most of the time with diminished resources and they still keep getting the job done and done and done and sooner or later it's going to snap. So we can't have layoff. So I just hope everybody comes to the table and we can figure out a way out of this mess. Thank you all for coming.

***Applause***

With that, we can go to -- five minutes? Oh, I need a motion to close the public portion.

**LEG. ALDEN:**

Motion to close.

**LEG. LOSQUADRO:**

Second.

**LEG. BARRAGA:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Alden.

**D.P.O. VILORIA-FISHER:**

Second by Tom.

**P.O. LINDSAY:**

Second by Legislator Barraga. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

I'm going to do a little bit of the agenda.

**MR. LAUBE:**

Sixteen, Alison (Not Present: Legislators Beedenbender & Gregory).

**P.O. LINDSAY:**

We have to go to Public Hearings at 6:30. Could I have a motion on the [Consent Calendar?](#)

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro, seconded by Legislator Alden.

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen (Not Present: Legislator Beedenbender & Gregory).

**P.O. LINDSAY:**

**Tabled Resolutions:**

***1987-08 - Authorizing the conveyance of County-owned surplus unused right-of-way fronting a parcel of land having a Suffolk County Tax Map Identification No. Of District 0200, Section 726.00 Block 07.00 Lot 006.000 pursuant to Section 125 of the New York State Highway Law (County Executive).***

**LEG. ALDEN:**

Can we skip that for an update by Legislator Beedenbender?

**P.O. LINDSAY:**

Sure. Okay. I'm on -- if you're on a paper copy, I'm on page six. I'll skip over that.

***2158A-08 - Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$141,000 Bonds to finance the cost of planning for restoration of wetlands (CP 8730.111).***

**MR. NOLAN:**

(Inaudible).

**P.O. LINDSAY:**

I'm going to make a motion to table that.

**D.P.O. VILORIA-FISHER:**

Second.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Because there's still some discussion on that. Second by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen (Not Present: Legislators Beedenbender & Gregory).

**P.O. LINDSAY:**

***008-09 - Designating depositories pursuant to Section 212 of the County Law (Presiding Officer Lindsay).*** Have we resolved this problem yet?

**LEG. HORSLEY:**

Not quite. But we have met and there is language that's being put forth, so --

**P.O. LINDSAY:**

Motion to table?

**LEG. HORSLEY:**

Motion to table.

**P.O. LINDSAY,**

Motion to table by Legislator Horsley. Second; can I get a second?

**LEG. ALDEN:**

Second the motion.

**P.O. LINDSAY:**

Second by Legislator Alden. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Beedenbender).

**P.O. LINDSAY:**

***IR 1009-09 - Approving the appointment of Jamie Atkinson to the Suffolk County Citizens Corps Council (County Executive).***

**LEG. EDDINGTON:**

Came to the committee.

**P.O. LINDSAY:**

Came to the meeting, the Chair of Safety says that Ms. Atkins did appear, Atkinson. Would you like to make a motion?

**LEG. EDDINGTON:**

Motion to approve.

**P.O. LINDSAY:**

Motion by Legislator Eddington.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Cooper. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Beedenbender).

**P.O. LINDSAY:**

***1032-09 - Approving the appointment of Anthony LaFerrera to the Suffolk County Citizens Corp Council (County Executive).***

**LEG. D'AMARO:**

Motion.

**LEG. EDDINGTON:**

He also was present.

**P.O. LINDSAY:**

Also was present. Motion by Legislator D'Amaro.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Seconded by Eddington. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Beedenbender).

**LEG. D'AMARO:**

Tim, cosponsor.

**LEG. GREGORY:**

Tim, cosponsor.

**LEG. HORSLEY:**

Cosponsor.

**P.O. LINDSAY:**

Okay. Legislator Beedenbender didn't come back yet.

Okay, [Introductory Resolutions](#), page seven:

**Discharged By Petition:**

***1206-09 - To suspend the publication and mailing of newsletters (Presiding Officer Lindsay).***

**D.P.O. VILORIA-FISHER:**

Motion.

**P.O. LINDSAY:**

I'll make a motion.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher. On the motion?

**LEG. LOSQUADRO:**

Just on the motion, Mr. Chairman?

**P.O. LINDSAY:**

On the motion.

**LEG. LOSQUADRO:**

Could you just explain the rule change? And if we're just doing a straight suspension, why would a rule change be necessitated? Maybe Counsel could answer that.

**MR. NOLAN:**

Well, the bill has actually been amended to take out the rule change.

**LEG. LOSQUADRO:**

Okay. That's fine.

**MR. NOLAN:**

The reason we were changing the rules was because the rules say that members are entitled to two mailings yearly; we're going to do a separate resolution to deal with that later.

**LEG. LOSQUADRO:**

Okay.

**P.O. LINDSAY:**

And the revised resolution allows us to do one more written newsletter before July to notify our constituents that for the next 18 months it would be accessible on-line. I've been talking to our IT people, they see no problem in doing it. And we're going to do a generic article for everybody to put in their next thing about how to register, we can do direct e-mails to people that want or get the newsletters or they can access it on-line, either way. It also restricts the mailings of the County Executive, so it's a joint effort, we're all pulling together.

**D.P.O. VILORIA-FISHER:**

Kumbaya.

**LEG. ALDEN:**

Does this address any mailing?

**LEG. HORSLEY:**

It sunsets, Bill?

**P.O. LINDSAY:**

It sunsets at the end of '10. It really addresses newsletters. We would like to restrict mailings and we'll try and keep a close watch on that by the PO's office.

**D.P.O. VILORIA-FISHER:**

(Inaudible).

**P.O. LINDSAY:**

But there was no numbers per se. There was numbers initially in the bill, some people had some problems so we modified it to try and keep everybody on board. Yes, Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. I was initially opposed to this and when asked to sign for the discharge, I didn't sign it. I've reconsidered. I know I hear every day about the magnitude of our deficits and I agree with you that it's important that we do everything that we can, no matter where we find it, in order to achieve savings.

The only thing that I'd ask you is, and I guess I'd ask Counsel, I think it's admirable that the County Executive is constrained from sending out letters such as he did into your district. However, he takes the opportunity to communicate with correspondence and periodicals that come out of every department, as I see on a regular basis with his message out of Parks and with his message out of Civil Service and with his e-mail that originates from a variety of different departments. So while I feel that I will support this in an effort to go forward and demonstrate some willingness to muscle up, I wonder what the commitment is on the other side. I'll leave it at that.

**P.O. LINDSAY:**

Okay. The only thing that I could say, it doesn't sound like a big deal and I've got to give Legislator Barraga credit for this because he came forward voluntarily to suspend his newsletters before this went into legislation form.

**LEG. KENNEDY:**

Okay.

**P.O. LINDSAY:**

But collectively, with the cutbacks that we made in payroll here, we'll mean over a million dollars in savings.

**LEG. KENNEDY:**

Okay.

**P.O. LINDSAY:**

Which in the overall scheme of things, it's a pittance in the 117 million, but it's about 10% of our budget here, so --

**LEG. KENNEDY:**

It's moving in the right direction.

**P.O. LINDSAY:**

-- it's significant.

**LEG. KENNEDY:**

That's why I said I'll vote in favor of it.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. I'm going to recognize Legislator Horsley before we go to Public Hearings.

**LEG. HORSLEY:**

Yes, thank you, Mr. Presiding Officer. I'd like to take Resolution 1102 on page nine out of order, that is the Lucero Marcelo Law.

**LEG. ALDEN:**

What number again?

**P.O. LINDSAY:**

1102.

**LEG. HORSLEY:**

1102.

**P.O. LINDSAY:**

Page nine.

**LEG. HORSLEY:**

It's in Public Safety.

**P.O. LINDSAY:**

Okay, we have a motion to take 1102 out of order.

**LEG. GREGORY:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Gregory. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, 1102 is before us. ***1102-09 - Adopting Local Law No. 2009, a Local Law to amend Local Law No. 1-2000, to increase civil penalties for acts of bias in Suffolk County ("Marcelo Lucero's Law") (Horsley).*** Do I have a motion?

**LEG. ROMAINE:**

Motion.

**LEG. HORSLEY:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Horsley, seconded by Legislator Romaine.

**LEG. ALDEN:**

I have a question.

**P.O. LINDSAY:**

On the question, Legislator Alden.

**LEG. ALDEN:**

I see Legislator Horsley is the sponsor. It takes the civil penalty from what to what, and is it discretionary on the part of the Judge, is it mandatory?

**LEG. HORSLEY:**

I believe it's discretionary on the part of the County Attorney. It's the civil penalties.

**P.O. LINDSAY:**

You've got to talk into the mike.

**LEG. HORSLEY:**

And it would be the Judge, too, yeah.

**P.O. LINDSAY:**

In the mike, you're not on.

**LEG. HORSLEY:**

It raises the penalties from one, two and five -- one being the first offense and five being a third offense -- to 2000, 5000 and 10,000.

**LEG. ALDEN:**

So we wait for the criminal --

**LEG. BARRAGA:**

Five, 10 and 20.

**LEG. HORSLEY:**

Five, 10 and 20, I'm sorry; 5, 10 and 20.

**LEG. ALDEN:**

We wait for the criminal action to run its course --

**LEG. HORSLEY:**

That's correct.

**LEG. ALDEN:**

-- and then --

**LEG. HORSLEY:**

Yes.

**LEG. ALDEN:**

So if they're found guilty, then it goes into --

**LEG. HORSLEY:**

Into the civil.

**LEG. ALDEN:**

Into civil.

**LEG. HORSLEY:**

This would be for those crimes such as graffiti, nooses, those types of crimes that would be into the civil categories.

**LEG. ALDEN:**

How many people have we had pay on the civil as it stands?

**LEG. HORSLEY:**

The numbers are de minimus, if any; I don't believe there's any. But it is -- it is a statement by this Legislature about our concern for bias and I think it would make -- this is a strong statement and I think that this is something we should get behind.

**LEG. ALDEN:**

And forgive my ignorance, but the County Attorney is going to track the District Attorney's actions and then we'd jump in afterwards?

**LEG. HORSLEY:**

They have the option to do that.

**LEG. ALDEN:**

So it's not mandatory.

**LEG. HORSLEY:**

It would be -- it would be mandatory, yeah. If that was -- if it came up before them, yes.

**LEG. ALDEN:**

But what's the mechanism to get it from the District Attorney over to the County Attorney?

**LEG. HORSLEY:**

George, would you be able to answer that?

**MR. NOLAN:**

I don't think that is set forth explicitly in the law. What the law does -- this law has been on the books for many years, is it authorizes the County Attorney to go to court to seek civil penalties for certain types of bias acts. I don't know what the process is now. This law really doesn't address that, it just -- it strictly raises the authorized penalties. So you'd have to direct that, I believe, to the County Attorney and the District Attorney as to what type of procedure they have or are going to set up to implement the law.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Actually, Legislator Alden asked the question. But just for your information, Legislator Horsley, it's -- this law doesn't provide any -- this proposed law doesn't provide any substantive changes to the law that's already on the books.

**LEG. HORSLEY:**

That is correct.

**LEG. MONTANO:**

But just for your information, it's my understanding -- and I don't know if I'm -- I think I'm correct,

and maybe someone from the Human Rights Commission could speak to this if they're here. But in the last nine years that this law has been on the books, we have collected absolutely zero on this.

**LEG. HORSLEY:**

Again, it is a statement --

**LEG. MONTANO:**

No, I understand that. I'm just saying that in terms of the substantive law, there has been no enforcement. I don't know whether or not your amendment is going to change that.

**P.O. LINDSAY:**

Okay. Are you done, Legislator Montano?

**LEG. MONTANO:**

Yes, I'm done.

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah, thank you. Just to follow-up on that, through the Chair, to the sponsor. Section B is also being amended to target any funds that are collected under this section --

**LEG. HORSLEY:**

That's correct.

**LEG. D'AMARO:**

-- to the Junior Human Rights Day Program. And it's also my understanding that we haven't really collected any funds through this section. And my question is whether or not that Human Rights Day Program, Junior Human Rights Day program is separately funded or is this a new program that's going to be funded through anticipated revenue? How is this working?

**LEG. HORSLEY:**

No, this is -- it is a program that has been initiated by the Human Rights Commission. And I'm not sure of what their funding is at this point in time, but it would come out of their budget. And this would assist them in making it a bigger, better program for the future.

**LEG. D'AMARO:**

I appreciate that. So this is not the sole source of funding for that new program.

**LEG. HORSLEY:**

No.

**LEG. D'AMARO:**

All right, thank you. Thank you, Mr. Presiding Officer.

**P.O. LINDSAY:**

Okay. Anybody else; no? All right, we have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. COOPER:**

Cosponsor.

**P.O. LINDSAY:**

It's past the time to go to Public Hearings. If you turn to page three, first up is *Public Hearing on IR 1895-08 - A Charter Law to establish a Truth and Honesty Zone for clean campaign practices in Suffolk County by banning improper fundraising (Alden)*. I have no cards on this subject. Legislator Alden, what's your pleasure?

**LEG. ALDEN:**

Motion to recess.

**P.O. LINDSAY:**

Motion to recess. I'll second that. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*Public Hearing on IR 2025-08 - A Local Law to promote accurate cost estimates for Capital Projects (D'Amaro)*. I have no cards on this subject. Legislator D'Amaro, what would you like to do?

**LEG. D'AMARO:**

Mr. Chairman, we're going through extensive discussions in revising the bill. It's still alive, but I would like to recess for one more cycle.

**P.O. LINDSAY:**

Motion to recess. I'll second that. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*Public Hearing on IR 2207-08*, and I have a few cards on this subject, *A Charter Law to prevent double taxation for Police services in certain towns and villages (Romaine)*. And I have a few cards on this subject. First up is Thomas Skabry?

**MR. SKABRY:**

Good evening. My name is Tom Skabry, I'm the President of CSEA in the Town of Southold. And I want to thank you, Mr. Romaine, very much for proposing this piece of legislation. This is going to be very, very valuable, not only to the town that I represent which is Southold Town all the way out on the east end where we don't utilize the Suffolk County Police force for a majority of the services that they do offer, particularly the Public Safety Dispatchers. And I do realize that the main intent of this legislation was also to help out our fellow workers over in Riverhead town, as I'm sure everybody here is aware of the financial problems that they are having and the ongoing disputes going on between the Town Supervisor and Mr. Levy's Office. Obviously, there's a big argument over there, why should the towns have to pay for duplication of services? Actually, twice for services when they don't even receive the services in the first place. And I think this piece of legislation will go a long way in the right direction. And thank you.

**P.O. LINDSAY:**

Thank you, Thomas. Matthew Hattorff? I know, I'm probably messing it up. Matthew? There you go.

**MR. HATTORFF:**

My name is Matt Hattorff, I'm the President of the CSEA for the Town of Riverhead. I'm also the first Vice-President of Suffolk Local 852.

I would ask that the Legislators support this. Not only does it effect Riverhead, I have nine members that are losing their jobs over this, it's quite possible that we could save their jobs by supporting this. The -- if this goes down, not only will it effect my town and the members that I represent, but it's also going to increase the workload on the County. And from what I heard just a few minutes ago, I don't think we want to do that. I think it's in the best interest of everybody if we support this and I would appreciate it. And Ed, thank you for bringing it up. Thank you.

**LEG. ROMAINE:**

Mr. Chairman?

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

Matt, I have a question, just for my colleagues who may be a little puzzled. Suffolk County established a Police force for the five western towns and did not include, in 1960 when it was established, nine villages and the five eastern towns.

**MR. HATTORFF:**

Yes.

**LEG. ROMAINE:**

Each of those villages in the five eastern towns maintained their own 911 response, as I understand it; is that correct?

**MR. HATTORFF:**

Yes.

**LEG. ROMAINE:**

And this response is not only for Police but for ambulance and fire departments; is that correct?

**MR. HATTORFF:**

Yes.

**LEG. ROMAINE:**

Okay. Now, somewhere after the Police Department was created, I believe in the late 80's or early 90's, the County began to charge east end taxpayers and village taxpayers for 911 services that the County provides to the five western towns but not to the nine villages in the five eastern towns; is that correct?

**MR. HATTORFF:**

Yes.

**LEG. ROMAINE:**

So in essence, if I live in one of those five eastern towns or one of those villages, I'd be doubled taxed by my town or village and the County for providing the same service; is that correct?

**MR. HATTORFF:**

You're absolutely right.

**LEG. ROMAINE:**

In fact, the towns provide this service and the village provides this service; the County doesn't, it just charges for services it does not provide.

**MR. HATTORFF:**

They collect the funds and don't give us anything for it, for a lack of better words.

**LEG. ROMAINE:**

Now, this matter probably would have laid there undisturbed except for the Supervisor of Riverhead who looked at his budget, and having a tough year, as all of us are, decided "Hey, if my residents are paying for 911 services, let me abolish all my 911 dispatchers," and in Riverhead there's nine of them.

**MR. HATTORFF:**

There's nine left.

**LEG. ROMAINE:**

Right, nine left, there was ten.

**MR. HATTORFF:**

Right.

**LEG. ROMAINE:**

If this happens, the County would have to pick up all those services.

**MR. HATTORFF:**

Approximately 30,000 calls in just 911.

**LEG. ROMAINE:**

And then every one of the other towns and villages would say, "Why are we taxing our residents for this? Let the County, since they're already taxing us, do this," because we don't want to be taxed for services we're not getting.

**MR. HATTORFF:**

Oh, absolutely.

**LEG. ROMAINE:**

And what would happen would be not only would your members be unemployed, but the County 911 service which already, I've heard complaints from the Brookhaven side of my district about being put on hold, those calls would increase expedientially; is that correct?

**MR. HATTORFF:**

Yes. From what I've been told, the -- the calls for Riverhead would be funneled through the 7th Precinct. So the people in the 7th Precinct, they have a problem to start with, and it's only going to be compounded by having to dispatch cars for Riverhead.

**LEG. ROMAINE:**

Thank you. So all my bill would do, in essence, is any money collected from these towns or villages for 911 services that aren't provided would simply be returned over to the respective town or village governments if they opted out of the County 911 service which they're not in now to begin with.

**MR. HATTORFF:**

That's right. And any other services that the town uses like your homicide and --

**LEG. ROMAINE:**

Right.

**MR. HATTORFF:**

We pay for that --

**LEG. ROMAINE:**

Yes.

**MR. HATTORFF:**

-- above and beyond anyway, so that wouldn't be effected at all.

The only thing that would be affected here is I'd be able to keep my dispatchers and my east end taxpayers a little safer.

**LEG. ROMAINE:**

Thank you again.

**MR. HATTORFF:**

Thank you.

**P.O. LINDSAY:**

That was great, Matt, you just finished your five minutes when the buzzer went off.

**D.P.O. VILORIA-FISHER:**

Even with the questions.

**MR. HATTORFF:**

Anything to keep it moving.

**P.O. LINDSAY:**

I know. Very good, very good. And Legislator Romaine, they were great cogent questions.

*(\*Laughter From Panel\*)*

**LEG. ROMAINE:**

They help explain the bill.

**P.O. LINDSAY:**

Nick LaMorte. Hi, Nick.

**MR. LaMORTE:**

Good afternoon, everybody. How we doing?

**P.O. LINDSAY:**

It's night time.

**D.P.O. VILORIA-FISHER:**

Hanging in there.

**MR. LaMORTE:**

Good to see you all. I rise in support of Legislator Romaine's bill. I think it was quite explanatory, the give and take between my President, Matt Hattorff and the Legislator.

I do believe this is a no-brainer, but if we're going to do it, we need to do it united, and I like to see that. Because there's a guy named Levy that probably is going to have his veto pen out and I'll be back for the override. So I hope you can see your way with this.

I probably should talk about how much it really costs. We'll be helping out trying to get those numbers. I know we have nine in Riverhead, and if this -- if this doesn't happen, if this bill doesn't

go through, then I can see it happening in East Hampton, Southampton, Southold and it's not a good thing. These are working people. I met all nine of them when I was out in Riverhead to try to speak to Supervisor Cardinale on the issue and, you know, like a lot of other folks right now, working people are suffering, middle class people. And this is really sending the wrong message if we can't get this done for these folks. So I appreciate your support. Thank you.

**LEG. ROMAINE:**

One quick question.

**P.O. LINDSAY:**

Go ahead.

**LEG. ROMAINE:**

Nick, did you know that Supervisor Cardinale sent a letter, e-mailed me a letter of support for my resolution?

*(\*Laughter From Panel\*)*

**MR. LaMORTE:**

He has been supportive. He's actually not looking for full reimbursement for the jobs, he was looking for something.

**LEG. ROMAINE:**

Yes, he's looking for something.

**MR. LaMORTE:**

And I have spoken to County Exec Levy and told him of our plight and he actually wrote me back something that said -- actually, I was on a "Thank you for your donation" letter, they said, "Please keep me apprised of what's going on in Riverhead." So who knows. If it's a unanimous vote, maybe there won't be a veto.

**LEG. ROMAINE:**

Tell Steve to give me a call, I'll be happy to keep him posted on things happening in Riverhead.

**MR. LaMORTE:**

Thank you very much. Have a great day.

**P.O. LINDSAY:**

I don't have any other cards on this topic. Is there anybody else in the audience who would like to address us on 2207? Seeing none, Legislator Romaine?

**LEG. ROMAINE:**

Motion to close. I intend to bring this to a vote at our April 28th meeting so the full Legislature can weigh in on behalf of the issue of double taxation. Thank you.

**P.O. LINDSAY:**

And I'm sure you'll have questions.

**LEG. ROMAINE:**

Hopefully supporters.

**P.O. LINDSAY:**

Do I have a second to closing?

**LEG. BARRAGA:**

Second.

**P.O. LINDSAY:**

Second by Legislator Barraga. All in favor? Opposed? Abstentions?

**LEG. SCHNEIDERMAN:**

Tim, add me as a cosponsor.

**MR. LAUBE:**

I got it. Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

***Public Hearing on IR 1024-09 - A Charter Law to impose further controls on County debt and Debt Service Payments (Gregory).*** I have no cards, I don't think, on this subject. Is there anyone in the audience that would like to address us on 1024? Seeing none, Legislator Gregory?

**LEG. GREGORY:**

Motion to recess.

**P.O. LINDSAY:**

Motion to recess, I'll second that. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

***Public Hearing on IR 1121-09 - A Local Law to increase Legislative Oversight of RFP Process (Romaine).*** I don't have any cards on 1121. Is there anybody in the audience that would like to address us on 1121? The sponsor is not here.

**LEG. ALDEN:**

Close it?

**LEG. SCHNEIDERMAN:**

Recess it.

**P.O. LINDSAY:**

Recess it, okay. Motion to recess by Legislator Schneiderman.

I'll second that. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen (Not Present: Legislators Montano & Romaine).

**P.O. LINDSAY:**

***Public Hearing on IR 1122-09 - A Local Law to ensure fire hydrant operability and safe water pressure levels in Suffolk County (Eddington),*** and I have a number of calls -- cards. Charles Meyer? Mr. Meyer?

**MR. MEYER:**

Good afternoon. Charles Meyer, I'm a resident of Autumn Ridge Homeowners Association, a private community within the Town of Islip. We have 105 individually-owned homes. I'm a member of the Board of Directors which board manages our homeowners association.

Our association absolutely agrees with the Legislature that the proper functioning of fire hydrants is essential to protecting public safety, including the safety of residents of our private community. Nothing would be more disastrous than watching our homes burn and our families and neighbors killed or injured by fire simply because our fire fighters could not pump water. However, there are

some problems with the proposed legislation.

First, the supplier of water to our community must be required to conduct water pressure and flow tests at the point of connection to our mains to ensure that we have correct water pressure prior to any private testing of our fire hydrants, and the law does mandate private vendor testing of our private fire hydrants. A written report of pressure and flow must be forwarded within ten days of testing by the water supplier to the Suffolk County Department of Fire, Rescue & Emergency Services, the local Fire Marshal, the local fire department and community management annually upon requests by community management. Testing must conform with Article 2, Section 294-9 of this resolution.

Second, it's not apparent that the licensing standards incorporated into Article 3, Section 294, the servicing of portable fire extinguishers and automatic fire extinguishing systems has been incorporated into Article 2, Section 294, the testing of fire hydrants in private communities. It's essential, if it is the case, that it is not incorporated, that licensing standards and qualifications be applied to private contractors who will service, test and maintain our private fire hydrants.

Third, like the government of Suffolk County, our homeowner's association is faced with significant financial crisis. Our community has six privately maintained fire hydrants. Proposals that we have requested for testing and maintenance range from \$150 per hydrant to \$5,500 per hydrant. At the same time, the penalties phase of this resolution would subject our private community to civil penalty of \$1,000 per day per hydrant for late filing of required annual reports beyond the December 31st date of 2009 and subsequent years; this is unacceptable.

The above problems cause our private homeowner's association to respectfully request that the Legislature not approve this resolution as proposed, unless amended as requested. Thank you.

**P.O. LINDSAY:**

Thank you very much, Mr. Meyer. Mr. Meyer, would you please answer a question from Legislator Beedenbender?

**LEG. BEEDENBENDER:**

Thank you for the obvious in-depth look that you took at the bill, sir. My question, towards the end you said that the thousand dollar fine, if we're not following the paperwork, is unacceptable; can I ask why, and do you have an alternative suggestion?

**MR. MEYER:**

Yes, a reduced fine or an extended date without fine so that our local association could be certain to comply, simply reduce the amount of fine because that would be -- conceivably, if we were five days late, \$5,000 times six hydrants -- \$30,000 which would pretty much destroy our budget.

**LEG. BEEDENBENDER:**

Understandable. I guess from the perspective of -- as one of the people that worked on the bill, our hope would be that that would be incentive enough that nobody would be late and we're not in the situation we found in my district earlier this year.

**MR. MEYER:**

Well, hopefully that would be the case. However, I don't know if we can successfully complete all the requirements by this year, December 31st due date, without some type of assistance here.

**LEG. BEEDENBENDER:**

You don't think it's possible to get your hydrants tested before the end of the year?

**MR. MEYER:**

It probably is possible, yes.

**LEG. BEEDENBENDER:**

Okay.

**MR. MEYER:**

It's possible. However, it would create substantial hardship to do so based on the amount of money it could cost to do that.

**LEG. BEEDENBENDER:**

To test?

**MR. MEYER:**

To do the test, yes.

**LEG. EDDINGTON:**

Bill?

**LEG. BEEDENBENDER:**

Okay. I don't have any more questions: Legislator Eddington?

**P.O. LINDSAY:**

Legislator Eddington.

**LEG. EDDINGTON:**

Yeah, and I, as one of the sponsors, I understand. But as Chair of Public Safety, I hear your argument about the economic burden, but here in my position, I'm looking first at public safety, and I agree with Legislator Beedenbender that the incentive is now there. And of course, it's really reporting to the town first, which it's always been at the State law, so. We just want to make sure that we're notified that the inspections have been done and I think the money will be an incentive, I don't think it's going to be a problem for you. I hope it isn't.

**MR. MEYER:**

All right. Thank you.

**P.O. LINDSAY:**

Thank you. Neil Finnin. Neil Finnin? Am I pronouncing it correctly? Central Islip Fire Department?

**MR. FINNIN:**

I waive. Thank you.

**P.O. LINDSAY:**

You don't want to talk, okay. Kevin McCarroll?

**MR. McCARROLL:**

I also waive the opportunity. Thank you.

**P.O. LINDSAY:**

Okay. And Kevin McAteer.

**MR. McATEER:**

Same.

**P.O. LINDSAY:**

Same, okay. And Robert Grotell? Oh, different issue, different issue.

**LEG. ROMAINE:**

That's helicopter.

**P.O. LINDSAY:**

Different issue, I'm sorry. Okay, I don't have any cards on 1122.

Is there anyone else in the audience that would like to address us on 1122? Seeing none, what is your pleasure, Legislator Eddington?

**LEG. EDDINGTON:**

Motion to close.

**P.O. LINDSAY:**

Motion to close. Do I have a second? Seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? It stands closed.

**MS. ORTIZ:**

Sixteen. Seventeen (Not Present: Legislator Vilorio-Fisher).

**P.O. LINDSAY:**

Okay, I should let you announce the vote before I close it.  
Yeah, that's better.

**MS. ORTIZ:**

That's okay.

**P.O. LINDSAY:**

***Public Hearing on IR 1123-08 - A Local Law amending Local Law No. 53-2008, to provide parking for "Clean Pass" vehicles at County facilities (Horsley).*** I have no cards on this subject. Is there anyone in the audience that would like to address us on this subject? Seeing none, Legislator Horsley?

**LEG. HORSLEY:**

Motion to close.

**P.O. LINDSAY:**

Motion to close, I'll second it. All in favor? Opposed? Abstentions?

**MS. ORTIZ:**

Seventeen (Not Present: Legislator Vilorio-Fisher).

**P.O. LINDSAY:**

***Public Hearing on IR 1139-08 - A Local Law to ensure safe operations of helicopters (Romaine).***

***(\*Laughter From Panel\*)***

Yes, I have only one, only one; when we go out east, there will be more.

**LEG. ALDEN:**

I'm sure.

**P.O. LINDSAY:**

Robert Grotell? Mr. Grotell, how are you? Good to see you again.

**MR. GROTELL:**

I'm doing good. Thank you. Yes, nice to see you again.

**P.O. LINDSAY:**

How's the family?

*(\*Laughter From Audience\*)*

**MR. GROTELL:**

Very good. Thank you. It's my regular stint. Well, good evening.

My name is Robert Grotell, I'm a Special Advisor to the Eastern Region Helicopter Council. It's a pleasure to be here this evening.

I'm here to talk against and strongly oppose the proposed Intro Res 1139. The title of the bill is -- has not changed in its iterations, a Local Law to ensure safe operations of helicopters. But in reality this has nothing to do with helicopter safety, it's helicopter noise;

I mean, let's call it what it is. Regardless of its title, though, and regardless of the language of the bill, it -- the issue falls outside the jurisdiction of your body.

There is nothing changed. Even though the language has changed and has taken out the altitude restriction, the basic premise of the bill, again, falls outside your jurisdiction. You are preempted by the FAA and the Federal Government. Basically, as I've said many times before, the Legislature is preempted, as I had said before, by the Federal Government for any matters pertaining to the National Air Space System.

The proposed bill, as a result, is unenforceable, and the Helicopter Council's position is a waste of valuable time. A more prudent approach is to sit down with us, sit down with the FAA, with the communities of those affected and let's work out a more proper solution. We've already started that process in 2007, we will continue that process regardless of the outcome of this bill, and the only way to proceed with this is to work together with common goals. Let's address the noise issue. The best way to do that is to vary the routes. We recognized last year, which was the first year of the noise mitigation program for the east end, that we had some room for improvement. I mean, it is obvious that by concentrating the helicopter flow up along the north shore, that we concentrated the problem in that area. Our adjustment this year is to balance the route structure to have a more varied route structure to move the helicopters both on the north shore and the south shore which will provide what we believe is significant relief.

The industry has proven itself to be a very cooperative partner on this issue and we will continue to do so and I thank you very much for your time.

**P.O. LINDSAY:**

Thank you, Mr. Grotell. But Legislator Romaine has a question.

**LEG. ROMAINE:**

Actually not for Mr. Grotell who, by the way, does an excellent job representing his industry and I enjoy working with him. Even though we're on opposite sides of the fence, you don't always have to nuke someone just because they differ with you.

*(\*Laughter From Audience\*)*

However, that being said, my question is for Counsel. Counsel, is there any -- any case law that you would know that would permit State or local government to regulate pilot behavior?

**MR. NOLAN:**

Well, let me answer the question this way. The issue has risen again with this law, is this one preempted as was my opinion with the original version. And I haven't re-researched it, but somebody from your office did contact me and directed me to a case that he thinks may change my opinion, which it was a very busy day today, I didn't have a chance to read it, but I will read this case to see if it does give us authority.

**LEG. ROMAINE:**

Thank you, Counsel. I'll ask you possibly to pontificate at our next meeting, because I'm going to make a motion if there's no other speakers.

**P.O. LINDSAY:**

Well, let me just see if there's any other speakers. I have no other cards on 1139. Is there anyone in the audience who would like to speak to us on 1139? Seeing none, Legislator Romaine.

**LEG. ROMAINE:**

If not, I'll recess. I'm, as you know, waiting for the right moment and tonight, a night meeting, isn't one of them, to bring down those who feel that my bill would do some good.

**LEG. ALDEN:**

On the motion to recess? I'd like to be more specific as far as a time. And as an accommodation to our general Counsel and to myself, I'd like to be specific in that it gets recessed to a date after January 1st.

*\*Laughter From Panel\**

**LEG. ROMAINE:**

I'll give you fair warning, Cameron; how's that? I move to recess.

**P.O. LINDSAY:**

We have a motion to recess. Do I have a second?

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Beedenbender. All in favor? Opposed? Abstentions?

**LEG. BEEDENBENDER:**

What?

**D.P.O. VILORIA-FISHER:**

I think that was Losquadro.

**P.O. LINDSAY:**

Oh, Losquadro? I'm sorry. I'm sorry.

**LEG. LOSQUADRO:**

It's okay.

**P.O. LINDSAY:**

Unless -- was a date specific like the June meeting in Riverhead?

**LEG. ALDEN:**

Anything after January 1st, come on.

**P.O. LINDSAY:**

You want to call the vote? Did you call it?

**MR. LAUBE:**

Sixteen (Not Present: Legislators Vilorio-Fisher & Kennedy).

**P.O. LINDSAY:**

Okay. I want to make a motion and set the date for the following Public Hearings of April 28th, 2009, at 2:30 PM in the Rose Caracappa Auditorium in Hauppauge; the 2010-2012 Capital Budget & Program; IR 1222, a Local Law to improve protections to residents of planned retirement communities; IR 1227, a Local Law clarifying membership requirements for the Child Protective Advisory Board; and 1251, a Local Law setting lease terms pertaining to leases of real property acquired for airport use. Do I have a second to that motion?

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Second by Legislator Eddington. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen (Not Present: Legislators Montano & Vilorio-Fisher).

**P.O. LINDSAY:**

Before I go back to the agenda, I'm going to ask Counsel to go over a hearing that we'll probably have later this evening. Go ahead.

**MR. NOLAN:**

Yeah, I just wanted to alert the members that we believe the County Executive will be sending over another Certificate of Necessity on a -- for a Local Law that would amend the Toxin-Free Toddlers and Babies Act that we enacted at the last -- or passed at the last meeting. When we get that bill -- when we get the CN, we have to post it for an hour before we could hold a public hearing. But I just want to alert everybody, there may be one more public hearing this evening.

**P.O. LINDSAY:**

But we're not setting the time of that yet because we don't have the bill.

**MR. NOLAN:**

Not yet.

**P.O. LINDSAY:**

**Consumer Protection:**

***1030-09 - Adopting Local Law No. 2009, a Local Law to increase the application fee for dry-cleaning establishments (Presiding Officer Lindsay).*** I'll make a motion.

**LEG. KENNEDY:**

Second.

**P.O. LINDSAY:**

Second by Legislator Kennedy. All in favor? Opposed? Abstentions?

**LEG. ROMAINE:**

Abstain.

**LEG. BARRAGA:**

In the negative.

**LEG. ALDEN:**

I'm going to abstain, too.

**LEG. ROMAINE:**

Actually, Tim, list me in the negative.

**P.O. LINDSAY:**

We skipped over --

**MR. LAUBE:**

Just a second, I'm still counting on the last one.

**P.O. LINDSAY:**

Okay.

**MR. LAUBE:**

Thirteen (Opposed: Legislators Barraga & Romaine - Abstention: Legislator Alden - Not Present: Legislators Montano & Vilorio-Fisher).

**P.O. LINDSAY:**

**Economic Development, Higher Education & Energy:**

***1149-09 - Approving the appointment of Dylan Skolnick to the Suffolk County Motion Picture/Television Film Commission (County Executive).*** Do I have a motion?

**LEG. HORSLEY,**

Motion.

**LEG. COOPER:**

Motion to approve.

**D.P.O. VILORIO-FISHER:**

Second.

**P.O. LINDSAY:**

Motion to approve by Legislator Cooper, second by Legislator Horsley.

**LEG. ALDEN:**

Did he appear?

**D.P.O. VILORIO-FISHER:**

Yes.

**P.O. LINDSAY:**

Yes. Okay, all in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

***1150-09 - To reappoint Lenny Stucker to the Suffolk County Motion Picture/Television Film Commission (County Executive).***

**LEG. HORSLEY:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Horsley.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

***1151-09 - To reappoint Susan Gatti to the Suffolk County Motion Picture/Television Film Commission (County Executive).***

**LEG. HORSLEY:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Horsley, second by Legislator Viloría-Fisher.  
All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

***1152-09 - To reappoint Lora Fox to the Suffolk County Motion Picture/Television Film Commission (County Executive).***

How about same motion, same second, same vote?

**LEG. NOWICK:**

How about that.

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

***1153-09 - To reappoint Robert Beuka to the Suffolk County Motion Picture/Television Film Commission (County Executive).*** Same motion, same second, same vote.

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

***1192-09 - Authorizing cultural tourism funding for 2009. (County Executive).***

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine.

**LEG. SCHNEIDERMAN:**

Second.

**P.O. LINDSAY:**

Second by Legislator Schneiderman. I believe that you saw the attachment to the bill of all the agencies that are being funded, right? Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Sixteen (Opposed: Legislator Barraga - Not Present: Legislator Montano).

**P.O. LINDSAY:**

***1193-09 - Authorizing funding for Suffolk County Cultural Programming for 2009 (County Executive)***. Same motion, same second. Same vote, Tom?

**LEG. BARRAGA:**

Yes, same vote; no.

**P.O. LINDSAY:**

Okay.

**MR. LAUBE:**

Sixteen (Opposed: Legislator Barraga - Not Present: Legislator Montano).

**P.O. LINDSAY:**

***1204-09 - Approving new operating agreements between Suffolk County and Suffolk County Community College (Horsley)***.

**LEG. HORSLEY:**

Motion to approve.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Horsley, seconded by Legislator Viloría-Fisher.  
Is there any questions? I think we should do it again.

***(\*Laughter From Panel\*)***

**D.P.O. VILORIA-FISHER:**

Oh, it was so -- such fun.

**LEG. HORSLEY:**

Yeah, it was a ball.

**P.O. LINDSAY:**

Before we vote, I just have to --

**LEG. KENNEDY:**

In a snow storm?

**P.O. LINDSAY:**

-- praise both Legislator Horsley and Viloría-Fisher and some other colleagues that worked on this, and through a snow storm and literally hours of negotiations were able to help move the process that we've finally solved this thorny question. So we have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**LEG. ALDEN:**

Where's the County Executive?

**P.O. LINDSAY:**

*Environment, Planning & Agriculture:*

*1076-09 - Establishing an Equestrian Task Force (Eddington).*

**LEG. EDDINGTON:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Eddington.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Second by Legislator Browning.

**LEG. ALDEN:**

Any cost?

**LEG. EDDINGTON:**

Opportunity cost, basically.

**LEG. ALDEN:**

That's it?

**P.O. LINDSAY:**

The question was is there any cost attached?

**LEG. EDDINGTON:**

I believe it was opportunity cost, really, if I remember reading; it's negligible.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Sixteen (Opposed: Legislator Barraga - Not Present: Legislator Montano).

**P.O. LINDSAY:**

*1147-09 - To appoint a member of County Planning Commission (Joseph B. Potter) (County Executive).* His son's Harry? No.

You want to make -- who's making the motion.

**LEG. SCHNEIDERMAN:**

I'll make the motion.

**P.O. LINDSAY:**

Hey, Legislator Schneiderman makes a motion. Do I have a second?

**LEG. GREGORY:**

Second.

**P.O. LINDSAY:**

Second by Legislator Gregory. All in favor? Opposed? Abstentions?

**LEG. SCHNEIDERMAN:**

He did appear.

**LEG. ROMAINE:**

Oh, he appeared?

**LEG. BEEDENBENDER:**

Yeah.

**LEG. ROMAINE:**

Oh, that's important.

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

***1148-09 - To appoint a member to the County Planning Commission (Michael F. Kelly) (County Executive).*** Do I have a motion? Motion by Legislator Schneiderman.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. And I'll ask Legislator Alden; did he appear? Does anybody know? What committee was this?

**LEG. SCHNEIDERMAN:**

Environment.

**D.P.O. VILORIA-FISHER:**

Environment.

**P.O. LINDSAY:**

Environment. He did appear.

**LEG. SCHNEIDERMAN:**

He came.

**P.O. LINDSAY:**

Okay. All right, we have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

**1169-09 - Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E) (1)(b)] for the Shanchuk Property - Pine Barrens Core - Town of Southampton (SCTM Nos 0900-199.00-01.00-002.000 and 099-199.00-01.00-006.000) (County Executive).**

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Schneiderman.

**D.P.O. VILORIA-FISHER:**

How much is it for?

**LEG. BARRAGA:**

Thirty-one thousand six hundred.

**P.O. LINDSAY:**

We need a second.

**LEG. LOSQUADRO:**

Second.

**LEG. NOWICK:**

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro.

**LEG. ALDEN:**

On the motion?

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

We're going to go through a number of acquisitions here and I think they total up to about \$2 million. My question, through the Chair, is of Budget Review, and part of the answer I have already gotten. '09, our debt service is about \$90 million, and for '10 our debt service is going to be just under \$60 million?

**MR. LIPP:**

That's in the General Fund and this is our Quarter Cent Program.

**LEG. ALDEN:**

No, I realize that. I realize that.

**MR. LIPP:**

Okay.

**LEG. ALDEN:**

But the problem actually becomes they fold into each other. The more we put as far as debt out there on that Quarter Cent, the least likely or the least ability we're going to have to possibly use that money in the future. And I have George just drafting right now some legislation that would ask the people of Suffolk County if we can actually use that money for something other than what we originally asked them for, and that was we asked them if we could buy property, borrow money,

borrow half a billion dollars and then pay that back over 20 years. Now with the deterioration in our sales tax receipts, I think that it might be time to put that question back to the people, asking them maybe to stave off some kind of layoffs, to stave off huge tax increases, we could use that money to come back and support government operations.  
So all of it actually ends up dovetailed.

So I realize that these next couple of -- and it's a couple of million dollars, but we've done that almost every Legislative session, we've built up the money we're going to owe on that. But also my point, I can make it now and then later on I don't have to make it, in '09 we're going to pay \$90 million in debt service. If we had exercised some restraint on our part or even some prioritization on our part of some of these projects that we put out there, we wouldn't have owed \$90 million a year that comes out of our operating budget. And we would not have gone out and sold -- how much of the tobacco settlement money did we actually sell?

**MR. LIPP:**

We wound up with over \$200 million in debt service relief through 2013.

**LEG. ALDEN:**

How much did that cost us?

**MR. LIPP:**

Basically we got about -- the expected or projected numbers, we're getting 41 cents on the dollar.

**LEG. ALDEN:**

So because we didn't offer any resistance to piling on the debt, we had to go out and sell a stream of income, maybe it was going to diminish slightly, maybe it wasn't, that's another story for another day or another debate. So we had to sell that taking in 41 cents on the dollar just to reduce the amount of debt that we could have done on our own with a little bit of restraint.

So I think that this is absolutely the time, that if you want -- and I don't know which committee to call it in, but this should be an emergency procedure that we should go and look at right now, reprioritize any type of project that we're putting out there. We're going to ask people for generations to come to pay off this stuff. Ninety million dollars this year, a lot of that would have been going a long way to relieving people's minds as far as them getting laid off to actually operate County government, and even less than \$60 million next year. The cost was so high, we gave up a revenue stream for the next how many years?

**MR. LIPP:**

The expected is like 26 years, 28 years, but it could be, if it drives up the revenue stream, as much as 40 years.

**LEG. ALDEN:**

We gave up a revenue -- we possibly gave up a revenue stream, though, knowing right out of the box, 26 years?

**MR. LIPP:**

Approximately.

**LEG. ALDEN:**

So there was no plan, though, or what is the plan? Maybe there was a plan. What was the plan to replace that \$25 million a year going out for the next 26 years?

**MR. LIPP:**

We'll work on it.

**LEG. ALDEN:**

We're working on it. That's not a good thing to go out to people that work for this County or people that live in this County and expect a certain level of services; that's a horrible -- that's not a plan.

**MR. LIPP:**

Correct.

**LEG. ALDEN:**

We need to come together, reprioritize this. And we're going to go -- I know we're going to end up approving all this stuff. This is not the right way to run a County. This is a huge burden we put on the people who work for this County and the people that live in this County because we have to raise taxes. This is not the time to raise taxes, when people are getting laid off in private industry, when everyone is suffering, their retirement benefits are virtually gone if they had them invested in the market. This is a horrible time for us to pile it on. Thank you.

**P.O. LINDSAY:**

Legislator Alden, I guess you're not going to vote for that then, huh?

**LEG. ALDEN:**

I might be opposing this one.

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

I listened to Legislator Alden and there's much wisdom in what he says. Obviously the Executive is listening to him because he has not submitted one, for the first time in many years, one resolution in our packet for land acquisition, and it is my understanding that that's not his intention. You heard earlier today the Trustee from the Village of Greenport say that their deal was completely done and waiting for the Executive to submit that resolution and it's not being submitted, despite all the assurances over the last three years and dealing with the village on this issue. So obviously the Executive may be listening to you because he's not submitting any land acquisitions, as you will check it, see in your packet, there's none there.

However, that being said, the voters of this County decided that they wanted to have a dedicated fund. They wanted to preserve part of this County. Now, it's true, things may change in the short run because of our fiscal economic situation, but in that case the obligation is upon us to go back to the voters and ask them, and I think Legislator Lindsay has advocated that. But until that time --

**P.O. LINDSAY:**

No, I think that's --

**D.P.O. VILORIA-FISHER:**

He just said that.

**LEG. ALDEN:**

That's what I just said.

**LEG. ROMAINE:**

Right, right. Until that time that that takes place, this is a dedicated fund for the purchase of land acquisition. We can't use it for anything else.

**LEG. MONTANO:**

It doesn't mean we have to go spend it.

**LEG. ROMAINE:**

It's true, we don't have to go spend it, and that is a consideration and we'll divide on that issue.

I take a longer view. I've been a Legislator in the 80's, and I'm back again after an absence of many years when I served as County Clerk. And I look at the land acquisitions we make and I see the value they bring to this County. Look out and I understand that the suburban sprawl that has enveloped so many of the communities has stopped to some extent and that some of the environmentally sensitive land, the farmland has been saved, and if we walk away from this now that will be done. And this truly should be a policy debate, but in the end -- and I think Legislator Lindsay is right, as Cameron Alden is right -- we should bring this to the voter.

I obviously fall on the side of preservation, I think there's a value to that. I understand today we have a problem, but if we cave in on everything, if we change because of today's problem, if we take a short range view, then we're not setting long-range goals, which is something a Legislature has to balance, the short-term versus the long-term. I'm looking at the long-term. I'm old enough to collect Social Security, I'm going to be retiring in a few years, I want to look back and say --

*(\*Laughter From Audience\*)*

I wanted to say something to make Ben happy.

**MR. ZWIRN:**

You did retire.

**LEG. ROMAINE:**

But bottom line is when I look back I would like to think that there's something that we did that not every inch of this County was developed, that we saved our agricultural industry. These are issues that require serious debate. Cameron is right, it also requires the participation of the voter. I always think -- and I will look at seriously supporting a referendum, I think the voters should be informed, but I'm willing to wage that battle for the long-term, not just the short term. If we give in on everything in the short-term because we think the world is collapsing, I've been through collapses before, I've watched another County Executive actually get a lag payroll, not by threatening layoffs, by negotiating; I've watched that happen. I've watched in the 70's when we had to ration gas, when we had red flags. I mean, the world does change. We have to balance the issue of land preservation, of preserving our farmland, whether we think this should be a short-term issue that we have to address immediately or a long-term issue. Thank you.

**P.O. LINDSAY:**

Legislator Montano, did you want to say something?

**LEG. MONTANO:**

No.

**P.O. LINDSAY:**

He went on so long, you forgot, right?

**LEG. MONTANO:**

No, I actually don't want to say anything.

**P.O. LINDSAY:**

Okay. Anybody else? Okay, we have a motion on 1169 and a second. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Abstain.

**LEG. MONTANO:**

Abstain.

**LEG. BARRAGA:**  
Opposed.

**LEG. MONTANO:**  
Actually, opposed.

**LEG. GREGORY:**  
Opposed.

**MS. ORTIZ:**  
Opposed?

**LEG. MONTANO:**  
Yes.

**MS. ORTIZ:**  
Fifteen. No, 14, I'm sorry. Fourteen (Opposed: Legislators Montano, Barraga & Gregory - Abstained: Legislators Alden).

**P.O. LINDSAY:**  
*1170-09 - Approving planning steps for the acquisition of Farmland Development Rights - January, 2009 (County Executive).*

**LEG. SCHNEIDERMAN:**  
Motion.

**P.O. LINDSAY:**  
Who's making a motion? Motion by Legislator Schneiderman.

**LEG. D'AMARO:**  
Second.

**P.O. LINDSAY:**  
Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**  
Opposed.

**LEG. BARRAGA:**  
Opposed.

**P.O. LINDSAY:**  
I'm opposed.

**LEG. GREGORY:**  
Opposed.

**LEG. MONTANO:**  
Opposed.

**MS. ORTIZ:**  
Hands, opposed. Thirteen (Opposed: Legislators: Alden, Barraga, Lindsay, Gregory & Montano).

**LEG. ROMAINE:**  
Would the Clerk please list me as a cosponsor?

**LEG. SCHNEIDERMAN:**

Myself as well.

**P.O. LINDSAY:**

*1171-09 - Authorizing the acquisition of land under the New Suffolk County Drinking Water protection Program (Effective December 1, 2007) - Open Space Component - for the McGahey and Kilfeather Property - Sagaponack Woods - Town of Southampton (SCTM No. 0900-055.00-01.00-001.003) (County Executive).*

**LEG. SCHNEIDERMAN:**

Motion.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Schneiderman. Seconded by Legislator Losquadro.

**LEG. KENNEDY:**

On the motion, Mr. Chair?

**P.O. LINDSAY:**

Now there's a community, Sagaponack's really getting paved over. Legislator Kennedy.

**LEG. KENNEDY:**

I was just going to ask, not having been on the committee, if I can get some general idea about the location of the property or where it's approximate to or what the likelihood of access might be for anybody.

**LEG. SCHNEIDERMAN:**

It's contiguous to a lot of land that's owned by the town and County. It's in a Greenbelt area and a deep groundwater aquifer area. You know, the purpose here clearly is groundwater protection. It is accessible; it's contiguous woodland, so it's accessible that way.

**LEG. KENNEDY:**

Okay.

**P.O. LINDSAY:**

Any other questions? Okay, we have a motion and a second.  
All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**LEG. MONTANO:**

Opposed.

**LEG. GREGORY:**

Opposed.

**MS. ORTIZ:**

Fifteen.

**MS. MAHONEY:**

No, four.

**MS. ORTIZ:**

Fourteen (Opposed: Legislators Montano, Barraga, Gregory & Alden).

**P.O. LINDSAY:**

*1172-09 - Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E) (1)(b)] for the Joachim Property - Pine Barrens Core - Town of Riverhead (SCTM No. 0600-137.00-03.00-015.001) (County Executive).*

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro. No questions. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Abstain.

**LEG. BARRAGA:**

Opposed.

**LEG. GREGORY:**

Opposed.

**MS. ORTIZ:**

Abstain or oppose?

**LEG. MONTANO:**

Opposed.

**MS. ORTIZ:**

Sixteen. No, I'm sorry, fourteen again. Fourteen (Opposed: Legislators Montano, Barraga & Gregory - Abstention: Legislator Alden).

**P.O. LINDSAY:**

Okay, *1173-09 - Authorizing the acquisition of land under the New Suffolk County Drinking Water protection Program (Effective December 1, 2007) - Open Space Component - for the Valiant Rock, LLC Property - Saw Mill Creek addition - Town of Riverhead (SCTM No. 0600-109.00-02.00-008.000) (County Executive).*

**LEG. ROMAINE:**

Motion.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

We have a motion and a second. All in favor? Opposed?

**LEG. KENNEDY:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**LEG. ALDEN:**

Opposed.

**LEG. MONTANO:**

Opposed.

**P.O. LINDSAY:**

Abstentions?

**MS. ORTIZ:**

Opposed hands. Thirteen (Opposed: Legislators Kennedy, Barraga, Alden, Gregory & Montano).

**P.O. LINDSAY:**

*1174-09 - Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E) (1)(b)] for the Kunz and Stuart Property - Pine Barrens Core - Town of Southampton (SCTM Nos. 0900-306.00-03.00-028.000, 0900-306.00-03.00-038.000 and 0900-306.00-04.00-018.000) (County Executive).*

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Schneiderman.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Abstain.

**LEG. BARRAGA:**

Opposed.

**LEG. MONTANO:**

Opposed.

**LEG. GREGORY:**

Opposed.

**LEG. ALDEN:**

And I abstain.

**MS. ORTIZ:**

Fourteen (Opposed: Legislators Barraga, Montano & Gregory - Abstention: Legislator Alden).

**P.O. LINDSAY:**

Okay, *1175-09 - Authorizing the acquisition of land under the New Suffolk County Drinking Water protection Program (Effective December 1, 2007) - Open Space Component - for the Brodmerkel Property - Wading River Wetlands - Town of Riverhead (SCTM No. 0600-029.00-02.00-013.000) (County Executive).*

**LEG. ROMAINE:**

Motion.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Romaine, second by Legislator Schneiderman.  
The same vote; is that all right with everybody?

**LEG. ALDEN:**

I'm opposed to this one.

**P.O. LINDSAY:**

All right. All in favor?

**LEG. MONTANO:**

Yeah, I had a question, though.

**P.O. LINDSAY:**

Okay, question, Legislator Montano.

**LEG. MONTANO:**

What does this "effective December 1st"?

**LEG. ALDEN:**

That's when we can borrow money against that Quarter Cent.

**LEG. MONTANO:**

So this is going under, this is financed under the new Quarter --

**LEG. ROMAINE:**

Quarter Percent.

**LEG. MONTANO:**

One Quarter Percent?

**LEG. ALDEN:**

Right.

**LEG. MONTANO:**

I'm definitely opposed.

**P.O. LINDSAY:**

This is all bonded money?

**MR. NOLAN:**

No, it's not bonded.

**LEG. ALDEN:**

This is Quarter Cent.

**MR. NOLAN:**  
Quarter Cent.

**LEG. ALDEN:**  
You borrow money and then you pay it back for the next 26 years, if we have any sales tax coming in in that period of time.

**MR. NOLAN:**  
But it's paid with a dedicated fund of money.

**LEG. ALDEN:**  
Right.

**LEG. MONTANO:**  
Right, but -- if I may?

**P.O. LINDSAY:**  
Yes, Legislator Montano.

**LEG. MONTANO:**  
This goes back to the debate we had about if the sales tax dips and we borrow too much and we don't have enough money coming in from the sales tax, the debt service would then transfer to the operating fund at some point in the future; am I correct on that? Remember that debate we had?

**MR. LIPP:**  
Yes. If that happened, yes, it would be -- the General Fund would owe it. Right now, though, we're not in that situation.

**LEG. MONTANO:**  
We're not there yet, in other words.

**MR. LIPP:**  
Correct.

**LEG. MONTANO:**  
Okay.

**P.O. LINDSAY:**  
Okay. We have a motion and a second. All in favor? Opposed.

**LEG. ALDEN:**  
Opposed.

**LEG. BARRAGA:**  
Opposed.

**P.O. LINDSAY:**  
I'm going to join the opposition; you won me over.

**LEG. MONTANO:**  
Opposed.

**LEG. GREGORY:**  
Opposed.

**MS. ORTIZ:**

Thirteen (Opposed: Legislators Alden, Barraga, Lindsay, Montano & Gregory).

**LEG. ROMAINE:**

Cosponsor.

**P.O. LINDSAY:**

*1176-09 - Authorizing the acquisition of land under the New Suffolk County Drinking Water protection Program (Effective December 1, 2007) - Open Space Component - for the Salvatore Norberto Property - Tuthills Creek/Pine Lake - Town of Brookhaven (SCTM No. 0200-744.00-03.00-006.000) (County Executive).*

**LEG. EDDINGTON:**

Motion to approve.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Motion to approve by Legislator Eddington, seconded by Losquadro.  
All in favor? Opposed? Abstentions?

**P.O. LINDSAY:**

Opposed.

**LEG. ALDEN:**

Opposed.

**LEG. GREGORY:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**MS. ORTIZ:**

Fourteen (Opposed: Legislators Alden, Barraga, Gregory & Montano).

**P.O. LINDSAY:**

*1177-09 - Authorizing the acquisition of land under the New Suffolk County Drinking Water protection Program (Effective December 1, 2007) - Open Space Component - for the Pokorny Property - Southaven County Park addition - Town of Brookhaven (SCTM No. 0200-744.00-03.00-006.000) (County Executive).*

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Browning.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second by Losquadro.

**LEG. KENNEDY:**

On the motion, Mr. Chair?

**P.O. LINDSAY:**

On the motion, Legislator Kennedy.

**LEG. KENNEDY:**

Again, not being on this committee, if I could ask the committee chair or anybody else. This is less than a tenth of an acre that we're purchasing; is there a particular reason why we're buying this? What else could be done with this property.

**LEG. SCHNEIDERMAN:**

This is part of a program. It's not just one isolated lot, the County has been acquiring all the lots. This was one piece in a much larger -- what's the word I'm looking for -- tapestry, basically, of land that we've been acquiring in this area. So it may look like an isolated acquisition, it's not.

**LEG. KENNEDY:**

So is it -- it's around Southaven Park, is that it?

**LEG. LOSQUADRO:**

It's contiguous to.

**LEG. KENNEDY:**

And we're going to aggregate?

**LEG. LOSQUADRO:**

We're filling in -- we're filling in the out parcels within this section that was checker boarded under an old filed map that's contiguous to Southaven County Park to increase our holdings.

**LEG. KENNEDY:**

Okay, fine. Thank you.

**P.O. LINDSAY:**

It's under development pressure. We have a motion and a second. All in favor? Opposed?

**LEG. BARRAGA:**

Opposed.

**LEG. ALDEN:**

Opposed.

**LEG. MONTANO:**

Opposed.

**LEG. GREGORY:**

Opposed.

**P.O. LINDSAY:**

Opposed.

**LEG. ALDEN:**

Ten minutes from now they're not going to pay the taxes and we can take it.

**LEG. KENNEDY:**

They already owe.

**LEG. ALDEN:**

They don't pay, it's probably five years behind.

**MR. LAUBE:**

Thirteen (Opposed: Legislators Alden, Barraga, Lindsay, Montano & Gregory).

**P.O. LINDSAY:**

*1178-09 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (Effective December 1, 2007) - Open Space Component - for the Dowling College Property - Mastic/Shirley Conservation area - Town of Brookhaven (SCTM No. 0200-982.10-04.00-009.000) (County Executive).*

**LEG. BROWNING:**

Motion.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Browning, seconded by Legislator Eddington.  
On the question? Yes, Legislator Kennedy.

**LEG. KENNEDY:**

Is the owner Dowling College on this property, or is that just the way it's captioned?

**D.P.O. VILORIA-FISHER:**

It looks like it's the owner.

**LEG. KENNEDY:**

They're the owner? Okay, fine. Thank you.

**LEG. D'AMARO:**

I think it was the owner, John. I think it was, yeah.

**LEG. SCHNEIDERMAN:**

I'm sorry, the owner is Dowling College.

**LEG. D'AMARO:**

I believe it is.

**LEG. KENNEDY:**

Okay, fine. Thank you.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed?

**LEG. KENNEDY:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**LEG. GREGORY:**

Opposed.

**LEG. ALDEN:**  
Abstain.

**LEG. LOSQUADRO:**  
I have to abstain on this.

**MS. MAHONEY:**  
Abstain or oppose?

**LEG. LOSQUADRO:**  
Abstain.

**LEG. ALDEN:**  
I have a vested interest in this. Actually, recusal.

**LEG. LOSQUADRO:**  
Yeah, recusal.

**LEG. EDDINGTON:**  
I have to recuse.

**MR. LAUBE:**  
That's nine.

**LEG. SCHNEIDERMAN:**  
Can I get a roll call on that one?

**MR. NOLAN:**  
It failed?

**MR. LAUBE:**  
I have nine, but you can redo it.

**MR. NOLAN:**  
It failed.

**P.O. LINDSAY:**  
Does anybody want to change to a tabling motion to keep it active?

**D.P.O. VILORIA-FISHER:**  
It only got nine.

**LEG. SCHNEIDERMAN:**  
Motion to table.

**LEG. ALDEN:**  
No, they didn't announce it; I didn't hear it.

**LEG. MONTANO:**  
He just said nine.

**D.P.O. VILORIA-FISHER:**  
It failed.

**LEG. SCHNEIDERMAN:**

I called for a roll call anyway. I'll make a motion to table.

**LEG. BROWNING:**

I'll second. I'll second the table.

**LEG. SCHNEIDERMAN:**

I had asked for a roll call, it didn't happen. I'll make a motion to table.

**P.O. LINDSAY:**

Why don't you make a motion to reconsider and I'll vote for it.

**LEG. SCHNEIDERMAN:**

Fair enough.

**MR. NOLAN:**

Somebody from the prevailing side.

**LEG. ALDEN:**

Were you on the prevailing side?

**LEG. MONTANO:**

I'll make a motion to reconsider.

**LEG. ALDEN:**

Motion to reconsider.

**P.O. LINDSAY:**

Okay.

**LEG. BROWNING:**

Bill, I'd like to --

**LEG. MONTANO:**

How do you do that, you abstained?

**LEG. ALDEN:**

I recused myself. I was on the prevailing side.

**LEG. MONTANO:**

No, you weren't.

**MR. NOLAN:**

You can't make the motion.

**LEG. MONTANO:**

I'll make the motion.

**D.P.O. VILORIA-FISHER:**

You weren't on any side, Cameron.

**LEG. MONTANO:**

I'll make the motion.

**P.O. LINDSAY:**

And I'll second it. All right, we have a motion to reconsider before us. All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
Eighteen.

**LEG. SCHNEIDERMAN:**  
Motion to table.

**P.O. LINDSAY:**  
Table, motion to table by Legislator Schneider, I will second.  
All in favor? Opposed? Abstentions?

*1199-09 - Amending the Adopted 2009 Operating Budget and transferring funds --*

**MR. LAUBE:**  
Eighteen on the tabling motion before.

**P.O. LINDSAY:**  
Okay -- *from Fund 477 Water Quality Protection, amending the 2009 Capital Budget and Program and appropriating funds in connection with USGS monitoring of waterways for mosquito control products. (CP 8710.126) (County Executive).*

**LEG. D'AMARO:**  
You skipped one, Bill.

**P.O. LINDSAY:**  
Did I?

**D.P.O. VILORIA-FISHER:**  
1194.

**P.O. LINDSAY:**  
Oh, I'm sorry. *1194-09 - Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 Thomas Property - Town of Huntington (SCTM No. 0400-228.00-02.00-015.002 p/o) (D'Amaro).*

**LEG. D'AMARO:**  
Motion to approve.

**LEG. COOPER:**  
Second.

**P.O. LINDSAY:**  
Motion by Legislator D'Amaro, second by Legislator Cooper.

**LEG. MONTANO:**  
Question?

**P.O. LINDSAY:**  
Question, Legislator Montano.

**LEG. MONTANO:**  
Yeah, to Counsel. What is Local Law 24 again; is that the same law that we're talking about?

**MR. NOLAN:**

That is the law when we updated the Quarter Percent Drinking Program.

**LEG. MONTANO:**

So that's really effective December 1st, that's the same.

**MR. NOLAN:**

That's exactly right, the changes to the program were effective then.

**LEG. MONTANO:**

Okay.

**P.O. LINDSAY:**

Okay, we have a motion and a second. All in favor? Opposed?

**LEG. ALDEN:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**LEG. MONTANO:**

Opposed.

**P.O. LINDSAY:**

Opposed.

**LEG. GREGORY:**

Opposed.

**LEG. D'AMARO:**

Could I get a roll call, Mr. Presiding Officer?

**P.O. LINDSAY:**

Roll call.

*(\*Roll Called by Mr. Laube - Clerk of the Legislature\*)*

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

No.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

No.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

You got me.

**MR. LAUBE:**

Oh, sorry. Thirteen.

**D.P.O. VILORIA-FISHER:**

Wait a minute, you didn't count us.

**P.O. LINDSAY:**

Wait a minute, what about us?

**MR. LAUBE:**

Oh, I'm sorry. Legislator Viloría-Fisher? I had previous marks on there, I was not using a new sheet. Legislator Viloría-Fisher?

**D.P.O. VILORIA-FISHER:**

Yes.

**P.O. LINDSAY:**

And Lindsay.

**D.P.O. VILORIA-FISHER:**

How about the Presiding Officer?

**MR. LAUBE:**

And Lindsay.

**P.O. LINDSAY:**

No.

**MR. LAUBE:**

Well, because I had marks on here before. I'm trying to save paper, I didn't want to throw it out.

**P.O. LINDSAY:**

Tim, I know we're broke, but don't do it trying to save money on paper.

**MR. LAUBE:**

It's still 13.

**P.O. LINDSAY:**

Okay. *1199-09 - Amending the Adopted 2009 Operating Budget and transfer funds from Fund 477 Water Quality Protection, amending the 2009 Capital Budget and Program and appropriating funds in connection with USGS monitoring of waterways for mosquito control products. (CP 8710.126) (County Executive).*

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Second by Legislator Browning.

**LEG. ALDEN:**

On the question?

**P.O. LINDSAY:**

On the question.

**LEG. ALDEN:**

Four seventy-seven; through the Chair, how much money do we have in 477? This is \$100,000, right?

**MR. LIPP:**

Yes, this is the Water Quality Protection portion. So the total amount that goes annually to Water Quality is around seven and a half million but, you know, we're sort of running low because there's a lot of pulls on that money.

**LEG. ALDEN:**

Well, we had a question, I think it was at the last session, how much would be left for actual source point pollution elimination, so hard, you know, bricks and mortars type of projects. What does this bring it down to?

**MR. LIPP:**

We don't have a running total, actually. But I know that they're holding off on new resolutions

because of that, because it's getting low.

**LEG. ALDEN:**

Who's holding off on resolutions?

**MR. LIPP:**

The Executive. I mean, apparently there's enough money to do this, but it is getting low.

**LEG. ALDEN:**

Okay. And then just if I can have an explanation of what exactly this is. Monitoring waterways for mosquito control products to see the effect on, what, on fish?

**D.P.O. VILORIA-FISHER:**

On shellfish, but the Environment Chair might be able to tell you.

**P.O. LINDSAY:**

Legislator Schneiderman, can you enlighten us, being it's your committee?

**LEG. SCHNEIDERMAN:**

Okay. Yeah, 1199, this is to -- this is bringing the USGS in to look at some of the particular pesticides that we're using in the Mosquito Control Program and looking at concentrations and sediments, the benthic sediments at, you know, the bottom of our estuaries, in the Peconic Estuary and I think elsewhere in the County, to see if they are having kind of a cumulative impact on some of our marine life.

**LEG. ALDEN:**

Is this an extension of the program? Because we're already funding monitoring and we're getting feedback from a number of different agencies, by the way.

**LEG. SCHNEIDERMAN:**

I think it works, in particular some of the areas that we've been challenged on in terms of what -- even though we've been saying the concentration of these things like Methoprene at the levels the County has been using are not harmful, this is looking at the potential accumulation of these in the sediments. So this is going beyond where we have tested in the past.

**LEG. ALDEN:**

And why couldn't we have just -- and I'm not going to say divert, but why couldn't we just reassign some of our assets to look at these areas if we never looked at these? And we've looked at -- we've definitely looked at others.

**LEG. SCHNEIDERMAN:**

I mean, there might be another way of approaching it. You know, I didn't come up with this resolution. But USGS I've worked with in the past, they do an excellent job. I think this is money well spent. If we're going to continue some of our practices within Vector Control, I think we ought to have a --

**LEG. ALDEN:**

Right, but the problem --

**LEG. SCHNEIDERMAN:**

-- strong sense of the environmental ramifications.

**LEG. ALDEN:**

The problem I have with it is we've been analyzing the build-up and the potential harm or whether it is, you know, not harming our environment, we've already spent a lot of money and we continue to

spend money on a regular basis to do that. This is an additional \$100,000 that's going to do something that we do right now. With a little bit of just direction change, we could do it with a program that we're actually doing it right now.

**LEG. SCHNEIDERMAN:**

I don't know that we have the people in our department to do this, within the Health Department.

**LEG. ALDEN:**

Somebody has been giving us statistics, they come and testify all the time about --

**P.O. LINDSAY:**

But we're laying them off.

**LEG. ALDEN:**

No, that will be in the future that they won't be able to testify to us. But right now we actually are getting reports on a regular basis of --

**LEG. SCHNEIDERMAN:**

I know in the committee we had Chris Schumer maybe it is?

**LEG. ALDEN:**

From the Health Department?

**LEG. SCHNEIDERMAN:**

No, he's from the USGS who came down and he explained this program in detail. If you want to table it and bring it back --

**LEG. ALDEN:**

No, but he's from the USGS, that's fine, they want more program income for them and that's good for them. If we're already doing something and paying for it and we just haven't done it in this area yet, why not just shift over and have them monitor this area? Through the Chair; Ben?

**LEG. SCHNEIDERMAN:**

The Commissioner is not here.

**LEG. ALDEN:**

Do you know anything about this program?

**MR. ZWIRN:**

Well, I know that the purpose of the program was to try to see if we could reduce using insecticides to control mosquitoes and we were going to use the USGS who has experience in this area, work with our Health Department to do that. I know the program was reviewed by the Water Quality Review Committee and was passed unanimously and I know they've been very selective on the projects they're bringing forward to make sure we have enough money to do them and they're trying to prioritize them. But if you want to bring -- you know, the Commissioner is not here tonight, but if you want to table it for a cycle and bring it back at the end of the month.

**LEG. SCHNEIDERMAN:**

I feel the committee did a good job in reviewing this --

**LEG. LOSQUADRO:**

Yeah.

**LEG. SCHNEIDERMAN:**

-- and I would like to see it move forward; I prefer that.

**LEG. ALDEN:**

All right, if the committee did a good job then please answer this.

**LEG. SCHNEIDERMAN:**

Uh-huh.

**LEG. ALDEN:**

What other programs do we have that are monitoring the exact same thing that we're going to monitor here? And I'm not talking about in this area, I'm talking about anywhere in Suffolk County.

**LEG. SCHNEIDERMAN:**

Right. I don't think this level of detail and scientific study has been done by anybody.

**LEG. ALDEN:**

So we're not monitoring the effects of our, whatever you want to call them, insecticides, right; we're not monitoring that?

**LEG. LOSQUADRO:**

If I may, through the Chair? To follow up on Legislator Schneiderman's comment, I don't believe that the level of tracking the migration of these compounds into other bodies of water and through surface water vectors -- for lack of a better term, because it's vector control -- has been studied in this way; no, I don't think it has.

**LEG. ALDEN:**

We've had testimony about what happens when we spray and how if we hit land, say a golf course, and how it migrates into the marsh areas around the golf course, it would lead into either a bay or another body of water; we've got these studies and they're going on right now. We have a whole plan that costs millions to put together. I would think that if we looked at anything, we should have looked at this exact question.

**MR. ZWIRN:**

I believe we've looked at a lot of different things and this is just one additional tool that we can use to determine whether we can reduce -- what the effect of the insecticides has been on the environment and if we can eliminate the use of certain insecticides because we'll find out where they're located.

**LEG. ALDEN:**

No. And you know what, Ben, I'd be 100% calm and accepting of that if somebody could tell me that we're not duplicating or --

**LEG. SCHNEIDERMAN:**

It's my understanding that --

**LEG. ALDEN:**

-- there's no other resources that could be directed to this exact job; that's all.

**LEG. SCHNEIDERMAN:**

It's my understanding that this is new study, looking at some of the synergistic effects of some of these chemicals and looking at chemicals and concentrations that they have not been looking for before.

**LEG. ALDEN:**

But when you say chemicals and concentrations, we've read or I've read report after report that dealt exactly with that, with concentrations and what chemicals are having what effect.

**P.O. LINDSAY:**

Okay. Why don't we do this; why don't you make a motion to table and then commit to go to the Environment Committee, we'll have this guy back in and I'll second it.

**LEG. SCHNEIDERMAN:**

You would have to actually make a motion to recommit it to do that.

**LEG. ALDEN:**

What day?

**P.O. LINDSAY:**

It's Mondays.

**LEG. ALDEN:**

Oh, that don't work.

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you, Mr. Presiding Officer. I want to just note that in committee I abstained on this, and the reason I did it is precisely because of what Legislator Alden is speaking to.

It was my understanding that we had done reports and studies, we enacted and debated an entire Vector Control Program. I think part of that was the analysis of what they're trying to determine with this study that's going on here, mosquito control insecticides and reducing application of those; I think that was all considered when we did the Vector Control Programming and I think this may be duplicative, so I abstained.

I did have a subsequent conversation with the Commissioner of Environment & Energy, she -- I think it was after the committee had ended, she had some more pertinent information on perhaps this does -- this does not duplicate what we've already been doing. So I think it would be helpful. I would support the tabling motion, if we could go a cycle and get that information before the full Legislature here.

**LEG. ALDEN:**

Motion to table.

**P.O. LINDSAY:**

Motion to table by Legislator Alden.

**D.P.O. VILORIA-FISHER:**

And he's the second.

**P.O. LINDSAY:**

And you're going to second it, Legislator D'Amaro?

**LEG. D'AMARO:**

I'll second it, sure.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. And we have a motion to approve and a second as well. The tabling motion goes first; all in favor of tabling?

**LEG. SCHNEIDERMAN:**

Opposed.

**P.O. LINDSAY:**

Opposed.

**LEG. SCHNEIDERMAN:**

To tabling.

**P.O. LINDSAY:**

Opposed to tabling. How many opposed to tabling?

**MR. LAUBE:**

Please raise your hand, oppose to table.

**P.O. LINDSAY:**

One, two, three, four; okay. It looks like it stands tabled.

**MR. LAUBE:**

Fourteen (Opposed: Legislators Romaine, Schneiderman, Losquadro & Barraga).

**P.O. LINDSAY:**

*1200-09 - Amending the Adopted 2009 Operating Budget and transferring funds from Fund 477 Water Quality Protection, amending the 2009 Capital Budget & Program and appropriating funds in connection with the analysis of stormwater drainage to Long Island Sound between Mt. Sinai and the Village of Shoreham (CP 8240.117)(County Executive).*

**LEG. LOSQUADRO:**

Motion.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Losquadro, seconded by Legislator Viloría-Fisher. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. SCHNEIDERMAN:**

Before we move on. Mr. Clerk, would you list me as a cosponsor on 1169, 1171 and 1174? The County Executive left me off on those and in the past has included me.

**MR. LAUBE:**

1169?

**LEG. SCHNEIDERMAN:**

1169, 71 and 74, they're all acquisitions in my district, or planning steps.

**MR. LAUBE:**

Done.

**MR. ZWIRN:**

I apologize, we usually -- we must have missed them.

**P.O. LINDSAY:**

Okay. What I'd like to do, the last part of Environment, we finished all the resolutions, but before you is a CN appointing Frank Pellegrino to the Suffolk County Water Authority, and Mr. Pellegrino has been waiting patiently for us to address this. So if you could bear my indulgence, I would like to make a motion to take this out of order.

**LEG. GREGORY:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Gregory. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, the motion is before us.

***1262-09 - Appointing member of the Suffolk County Water Authority (Frank J. Pellegrino) (Presiding Officer Lindsay).*** I would ask Frank, if you would, come forward, and I will make a motion to approve.

**LEG. GREGORY:**

Second.

**P.O. LINDSAY:**

Second by Legislator Gregory. Frank, why don't you enlighten everybody I know you, but maybe you could tell everybody else a little bit about yourself.

**MR. PELLEGRINO:**

And I don't mind the wait, it's been very enlightening. I've been here many times, I never made it to this seat before.

**P.O. LINDSAY:**

Me neither.

**MR. PELLEGRINO:**

It's always a great honor when you are asked to serve your community, and I thank you wholeheartedly for you considering me for this position. I think what the water company does is not very dissimilar to what I do in my normal course of business and I think there are a number of skills I can bring --

**LEG. ALDEN:**

Pull the microphone closer.

**MR. PELLEGRINO:**

I'm sorry. I think there are a number of skills that I can -- or perspectives that I can bring to the water company that may be a little different from the board members that are there. And again, I thank you for your considering me for this post. I'm sure there are many questions.

**P.O. LINDSAY:**

Does anybody have any questions? Go ahead, Cameron.

**LEG. ALDEN:**

As a member of the board of the Water Authority, what's your position on raises for members of the board, and also perks like the credit cards, cars, things of that nature?

**MR. PELLEGRINO:**

I know that this is a hot issue right now. My understanding is that the next board meeting is in two days, Thursday.

**LEG. ALDEN:**

Okay.

**MR. PELLEGRINO:**

I would ask for a brief amount of time to be able to study the issues. My positions on raises are this. I can only relate to my organization, we have cut our executive by a quarter and yet people got raises. I think what I am most interested in is keeping rates down, because I'm a ratepayer as well; I think that's our responsibility. I think over the long haul you need to contain costs by employing technology and restructuring to be most efficient. Raises, certainly you have to hold the line on that and I know the economic conditions; believe me, I negotiate contracts frequently. But right now, if you're asking me right now --

**LEG. ALDEN:**

No, no, I didn't mean to -- maybe I misspoke. I didn't mean to put you on the spot as far as labor, I meant board members; if board members should be compensated at a higher level. I know that they just lost -- or I don't even know if they did or not, but they had cars, they had charge cards.

**P.O. LINDSAY:**

They don't have any of that.

**MR. PELLEGRINO:**

Quite honestly --

**LEG. ALDEN:**

The charge cards I think are gone, the cars I think are gone, but there's a little bit of a debate whether they should be compensated at a higher level.

**MR. PELLEGRINO:**

Quite honestly, I didn't know that the board members were compensated, it wasn't a consideration when --

**LEG. ALDEN:**

Okay. So you're not going to take your compensation?

**MR. PELLEGRINO:**

Well, I could do that, but I would probably be putting some of the other board members at a disadvantage. I really don't even know what the compensation package is.

No, certainly, you know, in my case, I don't seek or look for perks; I don't need them and I wouldn't accept them. So I don't know if there is a compensation package.

**LEG. ALDEN:**

Are you thankful for the lawsuit that the Legislature got you guys involved in that brought \$75 million to the Water Authority?

**P.O. LINDSAY:**

He isn't one of those guys yet.

**LEG. ALDEN:**

No, he's going to be; he's going to take over and have the fruits of our --

**MR. PELLEGRINO:**

I don't know that I'm going to take over, Mr. LoGrande might have something to say about that.

**LEG. ALDEN:**

Were you happy that we got you?

**MR. PELLEGRINO:**

I don't know if I understand you. The question is about board members.

My understanding is that the board members meet once a month, there is some stipend. I know that there was a reduction in their benefits, I think one board member came in saying that they wanted an elimination of health benefits. I personally, I don't require health benefits, I would not be looking for that.

**P.O. LINDSAY:**

That's good because we eliminated it.

**MR. PELLEGRINO:**

That's fine.

**LEG. ALDEN:**

And you don't want a car because we eliminated that, too, right, or you guys eliminated it?

**MR. PELLEGRINO:**

No, no.

**LEG. ALDEN:**

Charge card.

**MR. PELLEGRINO:**

No. And I know some of the managers lost their cars as well, so I don't think it would be appropriate for -- especially -- well, under any circumstance, I don't think it would be appropriate for board members to be receiving perks such as that.

**LEG. ALDEN:**

Okay. So this is the first time you're being informed, then, that you get a stipend.

**MR. PELLEGRINO:**

Okay.

**LEG. ALDEN:**

Do you think it should be -- well, you actually stated it a little bit.

**MR. PELLEGRINO:**

I don't even know what it is.

**LEG. ALDEN:**

Right.

**MR. PELLEGRINO:**

And it wasn't a consideration.

**LEG. ALDEN:**

So you're not going to go in there and advocate for higher pay to board members?

**MR. PELLEGRINO:**

Absolutely not. Absolutely not, no.

**LEG. ALDEN:**

Thank you.

**P.O. LINDSAY:**

Okay. Legislator Romaine?

**LEG. ROMAINE:**

Yes. First of all, I know Frank and he's head of Plumbers 200, he's done an excellent job, he's been out to my office several times.

Frank, one of the issues that has come up is these management raises, that as a result of them saving money for some of the work that they've done, particularly on the -- I'm trying to think of the lawsuit that they were involved in. The MB --

**D.P.O. VILORIA-FISHER:**

MTBE.

**LEG. ROMAINE:**

The MTBE lawsuit, and there's a question about that. Have you been queried about that at all?

**MR. PELLEGRINO:**

Quite honestly, I have not spoken to anyone about any of the substantive issues. I have not even met the other board members. I mean, I happen to know Mr. LoGrande from years ago, I know Mr. Halpin. I don't even know two the other two board members are, so I haven't gotten to speak to any of them.

**LEG. ROMAINE:**

Ms. Devine who I served with in the Legislature, and Mr. Gaughran who I served with in the Legislature.

**MR. PELLEGRINO:**

We have not met.

**LEG. ROMAINE:**

You haven't met them. I've served with both of them, so I know them for some time. But I'm looking here and apparently it's an issue. I'm trying to find it because I think it appeared on the Newsday blog and there was an issue about that, that one of our people that follow this, I think it was Rick Brand, wrote about and there it is, "Suffolk Lawmakers and Water pick, raises at stake." I don't know if you've seen that blog.

**MR. PELLEGRINO:**

I did read that, yes.

**LEG. ROMAINE:**

Okay. And apparently my two former colleagues, Ms. Devine and Mr. Gaughran, oppose these increase, despite the fact that they will have absolutely no impact on rates. That the rates have been set for multiple years and that some of the people feel that because they put in the extra work on this lawsuit, that they were -- you know, they felt that there was some compensation and the board is tied on that and you're essentially going to be the tie breaker. So there's why I'm asking this question.

**MR. PELLEGRINO:**

How I'm going to vote, is that what you're asking?

**LEG. ROMAINE:**

No, I'm asking your -- I would not be that direct, but I'm asking your thoughts on this.

**MR. PELLEGRINO:**

Okay, my thoughts are this. My understanding -- and again, this is from another op-ed piece written by Mr. LoGrande -- is that this money was appropriated in a prior budget.

**LEG. ROMAINE:**

Yes.

**MR. PELLEGRINO:**

And that there were some people who were given promotions, but they did not receive the appropriate raise to go with the promotion.

**LEG. ROMAINE:**

That's correct.

**MR. PELLEGRINO:**

Again, I don't know what position they were promoted to, how much more their workload increased. If they were promised an increase, I think it would be disingenuous to deny them, but I think again, the real focus is to maintain the rates, the ratepayer burden as it is.

**LEG. ROMAINE:**

Right, but if this had no impact on rates, this may have no -- I'm told anyway that this may not have an impact on any of these rates.

**MR. PELLEGRINO:**

Well, my understanding is that if the raises went through that it would not impact the rates.

**LEG. ROMAINE:**

That's correct.

**MR. PELLEGRINO:**

Okay. Again, you know, I don't -- I would ask for a brief amount of time, certainly more than two days, to be able to speak with the other board members and do some research.

**LEG. ROMAINE:**

But I think your comment said that it would be disingenuous to promise someone something and not deliver.

**MR. PELLEGRINO:**

Well, quite honestly, are these people over paid now, do we know that?

**LEG. ROMAINE:**

I don't know.

**MR. PELLEGRINO:**

You know, I mean, are they over paid, under paid?

**LEG. ROMAINE:**

I'm not aware of their salary levels.

**MR. PELLEGRINO:**

And again, is every manager receiving a raise?

**LEG. ROMAINE:**

And because Reid is here, I'm going to say I only know what I read in newspaper.

**MR. PELLEGRINO:**

I did not speak with Mr. Brand, by the way, he didn't speak with me directly. I've never spoken with him.

**LEG. ROMAINE:**

Okay, but you've read some things about that.

**MR. PELLEGRINO:**

I just read the one blog that was in Newsday.

**LEG. ROMAINE:**

Because I think you're going to be thrown right into the middle of that at your first board meeting.

**MR. PELLEGRINO:**

That's quite all right, I'm quite used to that.

**LEG. ROMAINE:**

I'm sure, as the Union President, you are. All right, thank you very much.

**MR. PELLEGRINO:**

You're welcome.

**P.O. LINDSAY:**

Legislator Kennedy. I'll get you here.

**LEG. KENNEDY:**

Thank you, Mr. Chair. And Mr. Pellegrino, it's actually a pleasure to see you here before me. You are my constituent and I know the great work that you do with the Plumbers Union and you're to be admired for your willingness to have an organization that works with a great degree of flexibility, yet is doing a very good job with craftsmen here in Nassau and Suffolk Counties.

My question for you is I don't know if it's so much of a question as it is a request. I had a unique, maybe a unique, request for assistance from an agency that was constructing a group home, residential group home out east, and they had obtained their building permits from the town and they had gotten the consents they needed for septic in connection of water mains, but unfortunately they were initially told they were going to have to wait nine months because the Water Authority had no more pipe. It seemed that there was an issue with the order and it was at the time that iron, I guess, was escalating expedientially and the cost of raw material.

My question or request to you, then, is what are we doing as far as long-range procurement for materials so we can actually do main installation, of which I know along Portion Road we have quite a bit of main that's being laid, and the campaign going forward, and what would you do?

**P.O. LINDSAY:**

Just to answer -- he'll answer, but that's a great question. But the guy doesn't even know where the Water Authority is yet, he's just up for a nomination.

**LEG. KENNEDY:**

Okay, let me rephrase.

**MR. PELLEGRINO:**

Well, as far as the lines being laid in the road as we speak, that's generally done by a subcontractor.

**LEG. KENNEDY:**

Okay.

**MR. PELLEGRINO:**

Okay. And I do know that material prices spiked dramatically a year ago. So if there was -- if the Water Authority had budgeted a certain amount of dollars for procurement of pipe, there may not have been money in the budget for that year to go out to purchase again, especially at a highly inflated rate. But I think that that was really an anomaly and that situation has correct --

**LEG. KENNEDY:**

Has that backed off?

**MR. PELLEGRINO:**

Yeah, absolutely, material prices have come down dramatically. They pretty much follow the price of a barrel of oil, for whatever reason. But prices have dropped dramatically.

**LEG. KENNEDY:**

So we should have no more issues. I mean, it --

**MR. PELLEGRINO:**

No, you're asking me about a nuts and bolts problem and I really -- I'm not even there yet, so I couldn't tell you.

**LEG. KENNEDY:**

Okay.

**MR. PELLEGRINO:**

Pipe is not that expensive.

**LEG. KENNEDY:**

To your homework list, if you would, please. Let's just hope they get enough pipe to do the job. Thank you.

**LEG. NOWICK:**

That was a good answer.

**P.O. LINDSAY:**

Legislator D'Amaro. Legislator D'Amaro, you're all done?

**LEG. D'AMARO:**

No, I'm good.

**P.O. LINDSAY:**

Okay. Legislator Beedenbender.

**LEG. BEEDENBENDER:**

Thank you. Hi, Frank. It's not so much a question, but something that if you're approved and you go to the Water Authority, I'd like you to be mindful of, and I believe you would. It's the idea of where -- of contracting out work and where the work comes from.

I know there is a situation with the iron workers in my district involving the water tower. I know the papers have long had an issue with the Water Authority that I think has recently been resolved in terms of getting work from Suffolk County and paying prevailing wage. Where the contractors come from is particularly important, but perhaps one of the biggest things that we haven't really talked about so much is the contracts that go out to private companies that oversee and inspect the

hydrants. We've been talking a lot about the ones on private lands, but there -- the vast majority are on the street maintained by the Water Authority. And it's an outside contractor and there is some question, at least in my mind, from things that I've heard of whether or not that contractor is doing as good a job as the Water Authority employees and whether or not that contractor is cost effective given the fact that they're not doing that same job.

So I guess should you be approved today, one of the things, you know, from a labor perspective, which I have absolutely no doubt that's where you would come from, I would like you to bring that to the board that as a Legislator, at least myself, I would appreciate if the Water Authority board would -- to be mindful of that. You know, if we can do it with workers that are in the County, whether it be Water Authority or a company that's from the County, that is vastly preferable to farming it out to firms from all over the country which has kind of happened in the past.

**MR. PELLEGRINO:**

I believe there is an issue that's coming up. The Water Authority, I did do a little research, they did institute a program for meter reading. Where right now somebody actually has to go to your home and plug a device in and read the meter, or you can call it in over the phone. They've instituted a program where literally a car can drive down the street and a laptop will pick up all of the readings. So the work force for the meter readers, which I believe there are about 44 of them, is going to drop dramatically as time goes on. Now, I don't think the water company wants to lay anybody off, that's not the case. They would like to maintain these people, move them in to different positions. That may work specifically for what you're looking at, to go out. I mean, really maintenance on a hydrant, pretty much you have to exercise it, you know, you just want to make sure that they operate. They're pretty fail-safe, there's really not much in a hydrant to break unless you hit it with a vehicle. So yeah, I mean, you could move your forces around to do those probably at a considerable savings, you take the profit end of it out and do it with your own forces, so.

**LEG. BEEDENBENDER:**

Well, I appreciate that answer. It's just, you know, like I said, should be approved. That's just something from my perspective that I would like to see, the board really take a look at whether or not that is being done and could it be done better by the Water Authority employees from Suffolk rather than a contractor who is not necessarily based out of Suffolk or Long Island.

**MR. PELLEGRINO:**

Well, I'm very much in favor of keeping jobs local and supporting the local economy.

**LEG. BEEDENBENDER:**

Thank you, Frank.

**P.O. LINDSAY:**

Anybody else? No? Okay. Thank you very much, Frank, for your patience and waiting around for us. We have a motion and a -- do we have enough people? We're missing a couple? Oh, we've got enough, okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. Congratulations, Frank.

*Applause*

**MR. PELLEGRINO:**

Mr. Lindsay and Ladies & Gentlemen, I thank you. I will do my best.

**P.O. LINDSAY:**

Now that you're a member of the board, get the hell out of here before they start asking you questions again.

**MR. PELLEGRINO:**

Okay. Get out of here and go to work. Thank you.

**P.O. LINDSAY:**

**Health & Human Services:**

***1191-09 - Establishing May as "Perinatal Mood Disorders Awareness Month" in Suffolk County (Browning).***

**LEG. BROWNING:**

Motion.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Browning, second by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? Nobody wanted to touch that.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

We did 1948.

**Parks & Recreation:**

***1160-09 - Extending authorization to construct a skate park in the Town of Brookhaven (Browning).***

**LEG. BROWNING:**

We did that.

**D.P.O. VILORIA-FISHER:**

Kate, that's yours.

**LEG. BROWNING:**

Motion to approve.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

We did that?

**D.P.O. VILORIA-FISHER:**

No, we didn't.

**LEG. NOWICK:**

We did the skate park?

**LEG. MONTANO:**

No, the dog park.

**LEG. BROWNING:**

Okay, sorry.

**D.P.O. VILORIA-FISHER:**

She made a motion.

**LEG. BROWNING:**

Motion to approve.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Can we combine the dog park and the skate park? No. We have a motion to approve. Do we have a second?

**D.P.O. VILORIA-FISHER:**

Yeah, I did.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

What's the cost of this? And this is a -- is this a continuation of a project that's already operating?

**LEG. BROWNING:**

This is money -- maybe George would better explain it.

**MR. NOLAN:**

This money was approved and the Bonding Resolution was approved approximately five years ago. At a certain point, the -- if you don't expend the money, the project automatically lapses, and to prevent that from happening we're extending the authorization of money that's already been appropriated.

**LEG. ALDEN:**

Is there a possibility that we expend this money in the near future?

**LEG. BROWNING:**

I would like to say -- yes, I would like to say so. I have been talking to the Town of Brookhaven trying to work on -- there's two locations, I believe one in Legislator Schneiderman's district and in mine where there's a request for skateboard parks. I'm trying to work with the Town of Brookhaven to do a lease agreement so that we can build a skateboard park on town property directly across from a school. So hopefully I'll get the cooperation of the Town of Brookhaven.

**LEG. ALDEN:**

And one final question on this. Five years ago, who was the Legislator in that district?

**LEG. BROWNING:**  
Legislator Towle.

**LEG. ALDEN:**  
Freddy Towle?

**LEG. BROWNING:**  
Yes.

**LEG. ALDEN:**  
So this was a Fred Towle deal?

*(\*Laughter From Panel\*)*

**LEG. SCHNEIDERMAN:**  
Was it Towle or was it --

**LEG. BROWNING:**  
No, it's my deal.

**D.P.O. VILORIA-FISHER:**  
It was at Smith Point Park.

**LEG. SCHNEIDERMAN:**  
Who's the guy you beat? Wasn't this in O'Leary's?

**LEG. BROWNING:**  
No. This was -- actually it started ten years ago, with Legislator Towle, and it has been -- I have continued. The initial one was for Smith Point Beach Park; it's not a good location so we have been trying to find an alternative and this is the alternative, on town property.

**P.O. LINDSAY:**  
Anybody else on this issue? Did anybody else want to say anything? Okay. We have a motion and a second? All in favor? Opposed? Abstentions?

**LEG. ALDEN:**  
Abstain.

**LEG. BARRAGA:**  
Opposed.

**MR. LAUBE:**  
Sixteen (Opposed: Legislator Barraga - Abstained: Legislator Alden).

**P.O. LINDSAY:**  
*1161-09 - Authorizing use of Southaven County Park property in 2009 for a 5K Race (Browning).*

**LEG. BROWNING:**  
Motion to approve.

**LEG. LOSQUADRO:**  
Second.

**P.O. LINDSAY:**  
Motion to approve by Legislator Browning, second by Legislator Losquadro. All in favor? Opposed?

Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1187-09 - Authorizing lease agreement with the Chamber of Commerce of the Greater Ronkonkoma for Raynor Beach County Park, Lake Ronkonkoma (County Executive).*

**LEG. BEEDENBENDER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Beedenbender.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1188-09 - Approving a license agreement for Shannon Barr to reside in Prosser Pines County Park, Middle Island (County Executive).*

**D.P.O. VILORIA-FISHER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher. Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1189-09 - Approving a license agreement for Tina Armstrong to reside in Southaven County Park, Shirley (County Executive).*

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher, second by Legislator Browning. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1190-09 - Authorizing a cooperative management agreement with The Nature Conservancy, Inc. (County Executive).*

**D.P.O. VILORIA-FISHER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher, second by Legislator Schneiderman.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the question, Legislator Alden.

**LEG. ALDEN:**

An explanation; management agreement for what, and also what's the cost?

**D.P.O. VILORIA-FISHER:**

There's no cost right now. George, you want to take it?

**MR. NOLAN:**

The Commissioner for the Department of Parks, Recreation & Conservation came in and testified about this. It's to -- it's a management agreement to help carry out certain activities in the parks. When we asked about the money, they said there would be no money at this point, but that going down the road there may be individual things the conservancy is doing that would involve consideration in which case they would have to enter into separate agreements. That was my understanding of his testimony.

**D.P.O. VILORIA-FISHER:**

Right. This has no money involved.

**LEG. ALDEN:**

Do we indemnify them and hold them harmless, or do they indemnify us for whatever activity they're going to create or do?

**MR. NOLAN:**

I would have to think that any agreement the County enters into with them, they would indemnify us, I believe, but I don't know that. That's the normal County contract where we have a contract vendor doing activities on a behalf, they indemnify us. Maybe the County Attorney's Office can confirm that.

**MR. BROWN:**

It does contain the typical indemnification language.

**LEG. ALDEN:**

Coming back to us.

**MR. BROWN:**

Yes.

**LEG. ALDEN:**

Thank you.

**MR. BROWN:**

They indemnify us for their acts of negligence.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**  
**Public Safety:**

Okay, 1102 we already did.

**LEG. SCHNEIDERMAN:**  
Cosponsor on that last one.

**P.O. LINDSAY:**  
***1127-09 - Approving the appointment of John Carney to the Suffolk County Citizens Corp Council (County Executive).***

**LEG. MONTANO:**  
Motion.

**P.O. LINDSAY:**  
Motion by Legislator Montano, second by Legislator Eddington.

**LEG. ALDEN:**  
Did they show up?

**LEG. EDDINGTON:**  
Yes.

**P.O. LINDSAY:**  
Showed up. Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
Eighteen.

**LEG. MONTANO:**  
Renee, list me as a cosponsor.

**P.O. LINDSAY:**  
***1132-09 - To adopt the amended Suffolk County Pre-Disaster Mitigation Plan as approved by FEMA on January 14, 2009 (County Executive).***

**LEG. KENNEDY:**  
Motion.

**P.O. LINDSAY:**  
Motion by Legislator Kennedy.

**LEG. NOWICK:**  
Second.

**P.O. LINDSAY:**  
Second by Legislator Nowick. All in favor? Opposed? Abstentions?

**LEG. D'AMARO:**  
What about the disaster?

**LEG. KENNEDY:**  
It's coming.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1143-09 - Approving the reappointment of Vincent Bologna, Jr., as a member of the Suffolk County Fire, Rescue & Emergency Services Commission (County Executive).*

**LEG. EDDINGTON:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Eddington.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1144-09 - Approving the reappointment of Kenneth Capon as a member of the Suffolk County Fire, Rescue & Emergency Services Commission (County Executive).*

**LEG. EDDINGTON:**

Same motion.

**P.O. LINDSAY:**

Same motion, same second, same vote all right?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1145-09 - Approving the reappointment of Richard Keller as a member of the Suffolk County Fire, Rescue & Emergency Services Commission (County Executive).* Same motion, same second, same vote.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1146-09 - Approving the reappointment of Kenneth Capon as a member of the Suffolk County Fire, Rescue & Emergency Services Commission (County Executive).* Same motion, same second, same vote.

**MR. LAUBE:**

Eighteen.

**[THE FOLLOWING WAS TAKEN AND TRANSCRIBED BY  
LUCIA BRAATEN-COURT STENOGRAPHER]**

**PUBLIC WORKS**

**P.O. LINDSAY:**

Public Works. *1129 - Approving maps and authorizing the acquisition of lands together with Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure law, in connection with the acquisition of properties for the construction of right turn lanes, C.R. 3, Wellwood Avenue, Town of Babylon.* Babylon?

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro, second by Legislator Horsley.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

What was the estimated acquisition cost? For eminent domain, you always do an appraisal.

**P.O. LINDSAY:**

Gail, do you have that?

**MS. VIZZINI:**

No.

**P.O. LINDSAY:**

No.

**LEG. ALDEN:**

And the other question would be, when or where are they in this process, and when would this actually take place? They're obviously in court. What stage?

**MR. LIPP:**

The only information we have is that it's being negotiated, so it's not clear if they'll need to go to eminent domain or not, so the cost is unclear right now.

**LEG. ALDEN:**

They didn't do an appraisal of the property?

**MR. LIPP:**

We don't have that information, we just know that it's in negotiation and it hasn't been determined yet.

**LEG. ALDEN:**

They didn't file? I thought this was filed.

**MR. LIPP:**

I'm not sure.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Abstain.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Sixteen.

**P.O. LINDSAY:**

*1130 - Approving maps and authorizing the acquisition of lands together with Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law, in connection with the acquisition of properties for the intersection improvements on C.R. 100, Suffolk Avenue and Brentwood Road/Washington Avenue, Town of Islip.*

**LEG. MONTANO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Montano.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Second by Legislator Alden. All in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

*1154 - Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 11 - Selden with the owner of Royal Health and Racquet Club, Incorporated.* Who's Public Works? Are you going to make a motion? Motion by Legislator Beedenbender.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro. All in favor? Opposed? Abstentions.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1155 - Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 11 - Selden with the owner of Sons Coram, LLC.* Same motion, same second, same vote; all right?

**LEG. NOWICK:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1156 - Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 13 - Wind Watch with the owner of Islandia Village Center (IS-1602).*

**LEG. KENNEDY:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Kennedy.

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Beedenbender. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1179 - Amending the 2009 Capital Budget and Program and appropriating funds in connection with strengthening and improving L.I.E. Service Roads under the National Economic Recovery Act.*

**LEG. KENNEDY:**

Motion.

**MR. NOLAN:**

It has to be tabled, it's been amended.

**P.O. LINDSAY:**

Has to be tabled, Counsel's telling me, because it needs to be amended.

**MR. NOLAN:**

It was amended.

**P.O. LINDSAY:**

It was amended. Okay. So, I'll make a motion to table.

**LEG. KENNEDY:**

Second.

**LEG. NOWICK:**

Second.

**P.O. LINDSAY:**

Second by Legislator Kennedy. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Can't do the pending bond. *1180 - Amending the 2009 Capital Budget and Program and appropriating funds in connection with the intersection improvements of County Road 19, Patchogue-Holbrook Road at Old Waverly Avenue, Town of Brookhaven.* Legislator

Eddington?

**LEG. EDDINGTON:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve. I'll second it.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Very, very soon, we're going to have to either call a Special Meeting or look at all these in committee, because we're piling on -- and some of it is going to end up as authorized unissued debt. But we have a huge amount of outstanding debt, and in consideration of what we're going through right now, as far as financial difficulties, that's probably not the best way to go. But you still have to strike a balance between keeping people working and piling on new debt. So I think that we look at every project that actually has been approved, and whether it qualifies as outstanding unissued debt, or whether it qualifies as authorized and issued debt, we better start prioritizing. And I don't think we've been looking at this, we just approve it one legislative session after another, millions of dollars worth of new debt and projects. And maybe Budget Review has the answer. What's the outstanding balances of the unissued debt?

**MR. LIPP:**

Authorized unissued in last year's Capital Program, this year's Capital Program is going to be out soon, but last year it was 584 million dollars.

**LEG. ALDEN:**

And how about authorized and actually issued debt?

**MR. LIPP:**

We have outstanding principal of 878 million dollars to be paid off in principal over time eventually.

**LEG. ALDEN:**

So, if you combine the two of them, that's over a billion dollars.

**MR. LIPP:**

Yeah.

**LEG. ALDEN:**

Way over a billion dollars.

**MR. LIPP:**

Yeah.

**LEG. ALDEN:**

And I know we do have the -- the hearings on our Capital Budget are coming up, but we might want to wait on all this. You could approve it tonight, it's not going to happen anyway for how long?

**MR. LIPP:**

Maybe two years. It's hard to say, though. It depends on the particular project.

**LEG. ALDEN:**

Two years.

**MR. LIPP:**

It depends on the particular project.

**LEG. ALDEN:**

I'm making a suggestion that on most of these, unless it's an emergency, we should really hold off until our Capital Budget. And then, even in our Capital Budget, which we don't traditionally do, go back and look at authorized unissued, and also unauthorized and issued debt.

**P.O. LINDSAY:**

Legislator Eddington, then Romaine.

**LEG. EDDINGTON:**

I just want to correct, this is a shovel-ready project, it's not a two-year thing, this is ready to go.

**MR. LIPP:**

Well, I was referring to, in general, the projects on the list for the roads.

**LEG. EDDINGTON:**

I take it specifically.

**MR. LIPP:**

I must have misunderstood.

**LEG. EDDINGTON:**

So this one is ready to go. So this one --

**MR. LIPP:**

Yes, correct.

**LEG. ALDEN:**

A follow-up question to that, if I may be permitted.

**P.O. LINDSAY:**

Go ahead.

**LEG. ALDEN:**

Is it all right Jack?

**LEG. EDDINGTON:**

Sure.

**LEG. ALDEN:**

If we approve this bonding tonight, and it's for how much, 100,000?

**LEG. BARRAGA:**

A hundred thousand.

**LEG. ALDEN:**

Okay. When would we actually go out to the market and borrow the money?

**MR. LIPP:**

Well, it depends on when Public Works is ready. They could advance the cash right away. We actually go out and borrow twice a year, typically in May and November.

**LEG. ALDEN:**

So we would still have time --

**MR. LIPP:**

So, in theory, we could start it pretty soon, advance the cash and then put it on the -- either -- probably the November issue.

**LEG. ALDEN:**

My remarks still stand, I think we have to evaluate all the projects, all the outstanding unissued and all the outstanding issued.

**P.O. LINDSAY:**

Before we go on, just to comment on what you're saying, Legislator Alden. I don't disagree with you, but I would hate to see us random ax, our stopping projects because we don't know the status of it. What I'd like to do, if you give me a little time to look at it, and working with Legislator Beedenbender, the normal Public Works Committee I don't think has the time, with all their other work, to go into this issue, so maybe -- maybe I'll establish some kind of special Task Force to look at this question, and we'll bring Public Works in.

**LEG. BROWNING:**

Tom will sit on it.

**P.O. LINDSAY:**

We'll get, you know, someone from the Committee and some other people who might want to serve.

**D.P.O. VILORIA-FISHER:**

Tom will chair it.

**LEG. BARRAGA:**

Did you say Task Force?

**P.O. LINDSAY:**

Task Force.

**D.P.O. VILORIA-FISHER:**

Tom will chair it, he'll volunteer.

**LEG. EDDINGTON:**

He jumped when you said that.

**P.O. LINDSAY:**

Yeah, I know. He likes that, he likes that.

**LEG. ALDEN:**

But, Bill, you realize in what context --

**P.O. LINDSAY:**

No, I absolutely --

**LEG. ALDEN:**

-- my concern --

**P.O. LINDSAY:**

I absolutely realize, and I think there's probably -- we're carrying a lot of debt there that isn't moving forward, probably isn't going to move forward. And I think, just, if nothing else, to clarify

our books, to cleanse the decks a little bit and get rid of some of these projects that just are never going to get done, are never going to move forward, and, at the same time, it would give us an ability to kind of assess something that we might want to go back and take another look at.

**LEG. ALDEN:**

And it's real important, because we built ourselves up to the point where our debt service was 90 million dollars. We had to sell off a stream of income, like I said before, and that was established before for 41 cents on the dollar, to bring that debt and the debt service down. It really -- without a plan to replace the 25 million per year going forward for 26 years, and possibly longer. So I think it's absolutely relevant and it's absolutely very, very timely right now, especially with what's going on. In your family, if you end up with a financial problem, one of the first things counseling tells you is take your credit cards and cut them up, don't bother going out there and getting yourself in further debt. Try to pay down your mortgage, if that's -- you have the ability.

**P.O. LINDSAY:**

Do you want me to get divorced?

**LEG. ALDEN:**

What?

**P.O. LINDSAY:**

Do you want me to get divorced?

**LEG. ALDEN:**

No.

**LEG. BEEDENBENDER:**

Mr. Chairman.

**P.O. LINDSAY:**

Legislator D'Amaro. Oh, I'm sorry, go ahead. Did you want to --

**LEG. BEEDENBENDER:**

Yeah. I just want to add, just to refresh everybody's memory, last year we did do this through Public Works. And, if you remember, there was a bill that I submitted, the bill that got voted on eventually was not mine, it was another branch of government's bill, but we rescinded about 14 million dollars worth of appropriations. And, Legislator Alden, I think we should go through that process again, and I'll be happy to do it. And we'll present the list to Public Works, and we'll go through that process again and see if we can't cut a bunch more right out of what we've already authorized, or has been unauthorized and unspent, or is just not going to go forward.

**P.O. LINDSAY:**

Legislator D'Amaro, I apologize. I know it was a long time getting to you.

**LEG. D'AMARO:**

Oh, that's okay. Well, I just want to say welcome to, I think, my reasoning, Legislator Alden, a year ago. I mean, I remember sitting at a meeting when we were out at that kitchen. What is it, the Culinary Arts Center?

**LEG. ROMAINE:**

Riverhead.

**LEG. D'AMARO:**

Well, I remember the kitchen. We were in the kitchen at one point. That is in Suffolk County, right?

*(\*Laughter\*)*

**LEG. ROMAINE:**

The other County.

**LEG. D'AMARO:**

That is part of Suffolk County. But, in any event, there were four or five bills that came up, Capital Program, Capital Project, you know, authorization to issue the debt. And I questioned at that time whether or not we should be not -- you know, not stopping projects, not putting people out of work, but prioritizing. So, Legislator Alden, I appreciate your comments. I want to ask, why is this not appropriating, it's amending the Capital Budget? Does this have something to do with an increased cost for this project?

**MR. LIPP:**

It's transferring money from one project to another.

**LEG. D'AMARO:**

Just why is it required to transfer money? You know, we have an enacted Capital Program and Budget. Why are we transferring more money into this project, and where is it coming from?

**MR. LIPP:**

It's coming from CR17, reconstructing CR17, Carlton Avenue. A hundred and fifty thousand is being transferred.

**LEG. MONTANO:**

Wait, I didn't know that.

**D.P.O. VILORIA-FISHER:**

Uh-oh.

**LEG. ROMAINE:**

Hey, Rick.

**LEG. MONTANO:**

Thank you.

**LEG. ROMAINE:**

You're on someone's short list.

**LEG. D'AMARO:**

But this --

**MR. LIPP:**

It's for land acquisition.

**LEG. D'AMARO:**

How much has already been spent on this capital project so far, and is this due to a cost overrun, an unanticipated expense? Is it --

**MR. LIPP:**

I'd have to look up the -- how much was spent, part --

**P.O. LINDSAY:**

Let me throw some fuel on the fire. We probably took money from this project to finish that bridge in your District.

**LEG. D'AMARO:**

I wouldn't doubt it. I wouldn't doubt it. That bridge is actually --

**P.O. LINDSAY:**

Legislator Eddington, can you clarify this?

**LEG. EDDINGTON:**

I can tell you that this was -- this was planned by my predecessor originally. And the County Executive took more than half of the funding out and reduced the scope, but it was reduced so much that DPW said we can't do the project, and we already have a contractor ready to go. I mean, this is set, and DPW came and said he just took too much money.

**P.O. LINDSAY:**

Okay. Robert, do you have an answer for Legislator D'Amaro yet? No, or you don't?

**MR. LIPP:**

No, but, I mean, really, what's going on, as I'm leafing through this, is there's -- the money -- they need more money, obviously, in 50 -- Capital Project 5040 and they need to take it from someplace, so they're taking it from a project where they have extra money, so that way it's an offset.

**LEG. D'AMARO:**

Well, you know, I have -- I have an issue here --

**P.O. LINDSAY:**

That was a brilliant answer, Robert.

**LEG. D'AMARO:**

-- and it's not against the project, per se, but I don't see how we amend the budget not knowing whether or not this is about cost overrun. Why is there a cost overrun? This is a similar situation that we had a year ago. Perhaps, maybe it's not, maybe they're just -- maybe there's no cost overrun, and, as Legislator Eddington says, too much was taken out of this particular project. But I need that type of an answer, because what I see happening is if we have cost overruns, we need to know that before we amend and put more money into a project.

**MR. LIPP:**

This is a County Executive resolution, so we don't have the information as to -- because we didn't do the fiscal impact on it. The County Executive should know that.

**LEG. D'AMARO:**

I mean, I also have a bill pending that the Public Hearing is still open on that would look at cost estimates, and then the final project cost, and try and do some kind of formal review of why that's happening and when a project goes over budget 5%. But, you know, again, just to echo what Legislator Alden says, we have this tremendous debt service, although I think we retire debt at the same pace as we're taking on debt; is that right, Robert?

**MR. LIPP:**

Well, it's confounded by the fact that we have a lot of money coming off because of the tobacco revenue, so you don't see a lot of the debt service. It's off budget, basically. So --

**LEG. D'AMARO:**

But we are retiring debt as we're taking on new debt.

**MR. LIPP:**

Yes, but there is --

**LEG. D'AMARO:**

Not that we shouldn't reduce it, but --

**MR. LIPP:**

Correct. And we still have the jail. Most of it we have not bonded for yet, that's significant.

**LEG. D'AMARO:**

Right, but it's not like we just keep piling on without retiring some of that debt year by year as we go along. But, anyway, I agree generally, that, you know, I think we have to take a much closer look at these projects and keep the debt service down.

**MR. LIPP:**

To answer your question, we've -- in this particular project, in 5040, we've expended like almost 275,000, and we have about 1.7 million. That's a balance to still be spent.

**LEG. D'AMARO:**

For this project?

**MR. LIPP:**

Yeah.

**LEG. D'AMARO:**

So why is it being amended to put more funding into it?

**MR. LIPP:**

Once again, it's a County Executive resolution, so we don't have that answer, we didn't do the fiscal.

**LEG. D'AMARO:**

Is this project already started?

**MR. LIPP:**

Yeah, there has already been some money drawn on it, almost 250,000.

**LEG. D'AMARO:**

But that might just be planning.

**MR. LIPP:**

Yes, but it's been started, I guess, if you look at it that way, there's been some money expended. So, in other words, the five-year rule is not in effect, because we've already started it.

**LEG. D'AMARO:**

Yeah. Okay. Thanks, Rob, I appreciate that.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Yes. Robert, I'm looking at the resolution. What is the status of the reconstruction of CR17 now? Do you have any idea in terms of -- is this on? In terms of the project itself, because I'm looking here at the numbers, and maybe you'll take me through it again. I haven't looked at this in awhile. Total estimated cost one million three hundred and fifty, and then it says current 2009 Capital Budget and Program, 250,000. You follow what I'm -- just run me through those numbers.

**MS. VIZZINI:**

We'll do that in just a moment, but I do want to share with you that according to the backup, the right-of-way acquisition for the land is no longer necessary. So the money that was in Carleton Avenue for the right-of-way is providing the \$100,000.

**LEG. MONTANO:**

All right. So the status is then that we don't need the 100,000 for completion of this program?

**MS. VIZZINI:**

For the right-of-way acquisition, so that, you know, whatever the reason for the need for the \$100,000 in Patchogue Holbrook, the cost escalation and construction, or whatever the reason is, which, unfortunately, is not provided in the backup, the right-of-way money from Carleton Avenue can be used.

**LEG. MONTANO:**

Do you know why it wasn't needed? I mean, I don't have any backup here, that's why I'm asking.

**MR. LIPP:**

We don't have that information. What I could tell you is they've already expended on that project or they're taking money from, over 8 million, and there's a balance of over 2 million --

**LEG. MONTANO:**

Right. It's like a 13 million dollar project?

**MR. LIPP:**

Excuse me?

**LEG. MONTANO:**

Is that like an 11 or 13 million dollar project in total?

**MR. LIPP:**

It's about 11.

**LEG. MONTANO:**

And it's what, 80 --

**MR. LIPP:**

Just under 11.

**LEG. MONTANO:**

It's 80% reimbursable?

**MR. LIPP:**

Yeah, it appears that there's -- there's only like 3.6 million of that is County serial bonds, the rest is other. I'm not quite sure what "other" means. It's not -- it's not State. There's a million in Federal, and then there is like over 6 million in other, but I'm not sure what the other is.

**LEG. MONTANO:**

Okay. There's no one here from Public Works, right, to discuss the status of it? I don't think so. All right. But the bottom line, Gail, is that we don't need the 100,000 for this project, because we were going to spend that on land acquisition and that's nullified now.

Okay.

**MR. LIPP:**

According to the backup by the Commissioner, that's our understanding.

**LEG. MONTANO:**

Okay. Thank you.

**P.O. LINDSAY:**

Legislator Stern.

**LEG. STERN:**

Yeah. What was the total cost of the project?

**MR. LIPP:**

I was just referring to the project that they're taking the money away from, Carleton Avenue, which was 10.8 million.

**LEG. STERN:**

Yeah, but 5040.

**MR. LIPP:**

Right, 5040. Now, I have to go back, if you would bear with me for one second. Here we go, I'm there. The total cost of the project is 1. -- well --

**LEG. STERN:**

And you said that there have been --

**MR. LIPP:**

It should be -- it's a little over 2 million is the total cost.

**LEG. STERN:**

So, it's a significant project.

**MR. LIPP:**

Yes.

**LEG. STERN:**

But some monies have been expended for it so far, but a relatively small percentage compared to the overall cost.

**MR. LIPP:**

Right. It appears to be planning money. It's only like -- yes, there is --

**LEG. STERN:**

So, if it's planning money and the actual work has not started yet, why wouldn't -- and it's shovel-ready, as Legislator Eddington points out, why would this not be a project that would qualify for Federal stimulus money. Or the fact that some money has been expended on the planning phase, does that take it out of contention from being considered a Federal stimulus money project?

**MR. LIPP:**

Actually, there's been \$218 spent on the construction phase, like nothing, but they've spent something, I'm not sure why. Whether or not it qualifies for Federal fiscal stimulus is hard for me to say. I do know we've been looking into the Federal fiscal stimulus and the rules are mind-numbing to try to figure out. And I believe perhaps, but it's just speculation, that since it's something that is already underway, they want new stuff, as opposed to things we've already started.

**LEG. STERN:**

Yeah, and it's --

**MR. LIPP:**

But that's speculation on my part.

**LEG. STERN:**

Which is probably true, but, unfortunately, it sounds like not all that much has really started, except for the planning phase. It would seem that this is as shovel-ready money as it gets. Why wouldn't we get Federal stimulus money if they haven't put a shovel in the ground yet?

**MR. LIPP:**

Two hundred and eighteen dollar shovel they put in the ground.

**P.O. LINDSAY:**

Anybody else? Okay. The spirit of Dave Bishop is ascending on us. We have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. MONTANO:**

Abstain.

**LEG. ALDEN:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**MS. ORTIZ:**

Sixteen.

**LEG. D'AMARO:**

Hold on.

**MR. NOLAN:**

No. You had a couple over here.

**LEG. MONTANO:**

Abstain. Abstain.

**LEG. D'AMARO:**

I abstained.

**MS. ORTIZ:**

Oh, I'm sorry.

**LEG. D'AMARO:**

I'll abstain. I'll abstain.

**MS. ORTIZ:**

Fifteen. (Vote Amended to 14)

**P.O. LINDSAY:**

Okay. 1180A, bonding, the accompanying bonding resolution, same motion same second. Roll call.

**(Roll Called by Mr. Laube, Clerk)**

**LEG. EDDINGTON:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. ROMAINE:**

Pass.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. MONTANO:**

Abstain.

**LEG. ALDEN:**

No.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Abstain.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. ROMAINE:**

Abstain.

**MR. LAUBE:**

Thirteen.

**P.O. LINDSAY:**

Okay. *1181 - Appropriating funds in connection with the strengthening and improving of*

**County roads.** Legislator Beedenbender, you want to make this motion?

**LEG. BEEDENBENDER:**  
Motion.

**P.O. LINDSAY:**  
Motion. I'll second it.

**LEG. ALDEN:**  
Explanation.

**MR. LAUBE:**  
Who was the motion? I'm sorry.

**P.O. LINDSAY:**  
Motion by Legislator Beedenbender, second by Legislator Lindsay, and Legislator Alden has the floor.

**LEG. ALDEN:**  
Explanation. Including how much?

**LEG. BEEDENBENDER:**  
It's 5 1/2 million. This is a recurring capital project that's in the budget each year. I think it's 5014; is that the number on it? Yeah. It's in the budget each year, usually for just about this amount of money. I don't have the backup in front of me, but each year DPW authorizes this resolution. They use it for lane -- well, not lane markers, but they use it for all sorts of -- throughout the County on all different County roads for small projects that need to be accomplished.

**P.O. LINDSAY:**  
Especially this time of the year, because the roads are a mess.

**LEG. BEEDENBENDER:**  
Yes.

**P.O. LINDSAY:**  
Does that answer your question, Legislator Alden?

**LEG. ALDEN:**  
It does, but it raises concerns.

**P.O. LINDSAY:**  
Probably should be spending 10 million dollars.

**LEG. ALDEN:**  
What?

**P.O. LINDSAY:**  
Probably should spend 10 million dollars.

**LEG. ALDEN:**  
If we took it away from something else, absolutely.

**P.O. LINDSAY:**  
We have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**  
Opposed.

**LEG. BARRAGA:**

Opposed.

**LEG. D'AMARO:**

Opposed.

**MR. LAUBE:**

Fifteen.

**P.O. LINDSAY:**

Same motion, same second on the accompanying bonding resolution. Roll call.

**(Roll Called by Mr. Laube, Clerk)**

**LEG. BEEDENBENDER:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

No.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**MR. LAUBE:**

Fifteen.

**P.O. LINDSAY:**

*1183 - Appropriating funds in connection with the application and removal of lane markings.*

**LEG. BEEDENBENDER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Beedenbender. I'll second it.

**LEG. ALDEN:**

This doesn't go in the 5.5 million?

**P.O. LINDSAY:**

No.

**LEG. ALDEN:**

More money.

**P.O. LINDSAY:**

No. Any questions? How much is this one?

**LEG. BEEDENBENDER:**

Three hundred thousand.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**LEG. D'AMARO:**

Opposed.

**MR. LAUBE:**

Fifteen.

**P.O. LINDSAY:**

**1183A**, the accompanying bond resolution, same motion, same second. Roll call.

**(Roll Called by Mr. Laube, Clerk)**

**LEG. BEEDENBENDER:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

No.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**MR. LAUBE:**

Fifteen.

**P.O. LINDSAY:**

*1184 - Appropriating funds in connection with the reconstruction of drainage systems on various County roads.*

**LEG. BEEDENBENDER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Beedenbender, I'll second it.

**LEG. ALDEN:**

How much is this for?

**LEG. BEEDENBENDER:**

Five hundred thousand.

**LEG. ALDEN:**

How much would the interest be?

**P.O. LINDSAY:**

A dollar-fifty. You know how much the interest is?

**MR. LIPP:**

The rule of thumb is you add 50% for interest. So this bond is for 500,000, so that would be 750,000, and it's typically for 20 years, so you're talking about --

**P.O. LINDSAY:**

We would bond a \$500,000 project for 20 years?

**MR. LIPP:**

All projects -- typically, what happens is we package them into one big thing, like 120 capital projects, and we issue the whole thing for 20 years, typically, it could be a little less.

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

I believe this is being bonded for 15 years with an interest rate of \$211,215.87.

**MR. LIPP:**

That's their fiscal impact, not ours.

**LEG. ROMAINE:**

Oh, okay.

**LEG. ALDEN:**

That might be lower than the actual.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**LEG. D'AMARO:**

Oh, wait a minute. Is this drainage? No, no, no. I'm in favor.

**MR. LAUBE:**

Sixteen.

**P.O. LINDSAY:**

Same motion, same second. Roll call on the bond, 1184A.

**(Roll Called by Mr. Laube, Clerk)**

**LEG. BEEDENBENDER:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

No.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**MR. LAUBE:**

Sixteen.

**P.O. LINDSAY:**

*1185 - Amending the 2009 Capital Budget and Program and appropriating funds in connection with the County share of reconstruction of County Road 57, Bay Shore Road, from Route 27 to Route 231, Town of Islip.*

**LEG. STERN:**

Motion.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Stern, second by Legislator D'Amaro.

**LEG. ALDEN:**

How much is this one for?

**P.O. LINDSAY:**

Do we know how much this is?

**LEG. BEEDENBENDER:**

It's a 17.7 million dollar project. It's 80% funded by the Federal Government, so the bond is for 3.54 million.

**LEG. ALDEN:**

See, I'm weighing out paying debt service or paying employees. That's what I'm weighing, the things we've really got to balance when you start looking at stuff. Debt service, employees.

**P.O. LINDSAY:**

Yes.

**MR. BROWN:**

Thank you, Mr. Presiding Officer. Could you possibly just pass over this for one second, because I thought it had to be tabled because it had to be amended. I just want to check with Ben Zwirn.

**P.O. LINDSAY:**

Okay.

**MR. BROWN:**

Thank you.

**P.O. LINDSAY:**

I'll be happy to skip over it. We'll move right along. Okay.

**MR. NOLAN:**

You want to go back?

**P.O. LINDSAY:**

Oh, yeah, we got one on the table that we have to go back to. We skipped over it before.

**LEG. BEEDENBENDER:**

1987.

**P.O. LINDSAY:**

Yeah. If you go to Page 6, I think that is, 6, 19, what is it, 87, the first one, ***authorizing the conveyance of County-owned surplus unused right-of-way fronting a parcel of land having a Suffolk County Tax Map Identification Number of*** bah, bah, bah, bah. You're making a tabling motion?

**LEG. BEEDENBENDER:**

Yeah. Mr. Chairman, there was supposed to be a CN for this, but it didn't materialize, so -- because it needs to be amended. So I guess we'll just have to pass it the next time. Okay. So you're going to table?

**LEG. BEEDENBENDER:**

Motion to table.

**P.O. LINDSAY:**

I'll second it. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

We did that. Let's go to ***1186, top of Page 11, appropriating funds in connection with the reconstruction of County Road 4, Commack Road, from the vicinity of Nicolls Road to Julia Circle, Towns of Babylon and Huntington.***

**LEG. STERN:**

Motion to approve.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Motion to approve by Legislator Stern.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator D'Amaro.

**LEG. STERN:**

On the motion.

**P.O. LINDSAY:**

On the question, Legislator Stern.

**LEG. STERN:**

Yeah, thank you. For all of my colleagues and Legislator Alden, this project is moving forward now, because -- it's a 2.7 -- approximately 3 million dollar project that is considered shovel-ready, and will be eligible for Federal stimulus money. And so the idea here in moving forward with this project now as a priority is because we'll get Federal stimulus money to cover it.

**P.O. LINDSAY:**

Okay. Legislator Alden. I don't want the money.

**LEG. ALDEN:**

We can't wait to get the cash and then go forward?

**P.O. LINDSAY:**

No, you get it back. You've got to bond it and then you get it back.

**LEG. ALDEN:**

Last time I read the Federal stimulus package and the requirements --

**P.O. LINDSAY:**

All 800 pages you read?

**LEG. ALDEN:**

I didn't read all of it, but I did look at a little bit of it. I'm not so sure you get any money. So we might put the taxpayers on the hook. Again, I'm doing a balancing act here, pay debt service, pay the employees.

**P.O. LINDSAY:**

You're balancing. We have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Sixteen.

**P.O. LINDSAY:**

Same motion, same second on 1186A. Roll call.

**(Roll Called by Mr. Laube, Clerk)**

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

No.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Sixteen.

**P.O. LINDSAY:**

All right. Let's go back to Page 10, **1185**. We've got the updated information. It's been modified, so I'm going to make a motion to table.

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Beedenbender. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1196 - Appropriating funds in connection with intersection improvements on County Road 19, Patchogue-Holbrook Road and Furrows Road.* I want to make that motion.

**LEG. BEEDENBENDER:**

I will second it, Mr. Chairman.

**P.O. LINDSAY:**

Yes. This is -- I started this when I first got elected eight years ago and I hope to be buried on the corner there.

**LEG. EDDINGTON:**

There's a nice little plot there.

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

I almost hate to burst your bubble, but I have to raise a question. I've supported infrastructure programs, no matter whose district it's in, most of the time, but you're telling me --

**LEG. ALDEN:**

Not mine, though, but go ahead.

**LEG. ROMAINE:**

Cameron, you're talking about the golf cart barn?

**LEG. ALDEN:**

I'm talking about other things, too, but go ahead.

**LEG. ROMAINE:**

You still mention that barn. Anyway, this is going to bond for \$50,000. Okay?

**LEG. D'AMARO:**

There's not a lot of interest.

**LEG. ROMAINE:**

Fifty thousand dollars. This should be a pay-as-you-go. You know, when we start dipping below 100,000 and we're bonding, and I don't -- I support the project in any other fashion, particularly because it's in your district, sir, but at \$50,000 I'm saying we should not be bonding this project out. This is really ridiculous, unless there's some explanation and obviously Gail is waving.

**P.O. LINDSAY:**

Ms. Vizzini, do you have an explanation? It's for the headstone, is that what it is?

**MS. VIZZINI:**

Your point is well taken, Legislator Romaine, it truly is. However, when we did the 2009-2011 Capital Program, we took the policy decision that there would be no pay-as-you-go money. We had adopted that in the budget shortfall mitigating resolution to address the 2009 budget when we adopted that in May of 2008. To make a long story short, there is no pay-as-you-go money, there is no cash. That was a policy decision.

**LEG. BEEDENBENDER:**

We heard about that this morning.

**LEG. ALDEN:**

No cash?

**P.O. LINDSAY:**

And this is -- the \$50,000 is just to acquire slivers of land to do the bigger project. This project is worth much more than 50,000.

**LEG. ALDEN:**

How soon do you need it, Bill?

**P.O. LINDSAY:**

I don't know. I don't know.

**LEG. NOWICK:**

You want to be prepared, though.

**P.O. LINDSAY:**

Got to be prepared.

**LEG. HORSLEY:**

We're with you, Bill.

**P.O. LINDSAY:**

Thanks.

**LEG. D'AMARO:**

I thought you were voting against land acquisitions.

**P.O. LINDSAY:**

Just planning steps, planning steps. Seriously, we've had a couple of fatalities at this corner. We really need to do something with it.

**MS. VIZZINI:**

This is for additional turning lanes and modification of the current lane configuration and we did budget the 50,000 in the Capital Program.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Robert, you said that earlier that we'd lump all these projects together into one bond; is that what you said?

**MR. LIPP:**

Yeah. What we do is we go out and we borrow typically twice a year, just as an approximation, say, 100 million total, or 50 million each half a year, but it clearly varies. What we do is we bundle

about, oh, maybe 120 projects in each of the bond issues.

**LEG. MONTANO:**

All right. So this project is going into that bundle and this one is only 50. But what if we just approve more or less, or what are we approving today?

**MR. LIPP:**

Well, actually what we are approving if you sum up all of the road projects, \$10,440,000 in road projects for serial bonds, the total amount.

**LEG. MONTANO:**

Those are 15-year bonds or 20-year bonds?

**MR. LIPP:**

No. In all likelihood, they're all going to be 20-year bonds for everything.

**LEG. MONTANO:**

So we just spent 10 million dollars you said.

**MR. LIPP:**

Well, actually, I'll take that back, because 1184 was 3.54 million of that and that was tabled.

**LEG. MONTANO:**

All right.

**MR. LIPP:**

So it's about 7 million we'll probably wind up with in road projects tonight.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

And again, through the Chair to Budget Review. One of the other projects that we just approved, money was taken from, you know, another existing project. There's nothing else existing where we could get the \$50,000 for this? An existing project that doesn't have --

**MR. LIPP:**

Well, in this case here, this is appropriating the money that was budgeted for that project.

**LEG. ALDEN:**

Okay. But we already -- we've appropriated money -- like just to use as an example, and I'm not suggesting we take anymore out of his project for Carleton Avenue, but that money was appropriated. Why can't we just take another 50,000 out of the money that was appropriated for Carleton Avenue?

**LEG. MONTANO:**

Thanks, Cameron.

**MR. ALDEN:**

No, I'm using it as an example.

**LEG. MONTANO:**

No, I know what you are saying.

**MS. VIZZINI:**

That's not exactly correct. He has money scheduled in his project, just like this 50,000 is scheduled. We don't need the right-of-way, so it's --

**LEG. ALDEN:**

But there's money appropriated in his --

**MS. VIZZINI:**

What you're talking about is reducing prior authorizations or prior appropriations. This is different.

**LEG. ALDEN:**

That project, there's money appropriated that's not being used yet.

**MS. VIZZINI:**

No, but it's for that project and we authorized the bond for that project for that purpose. So that's a whole other exercise in terms of what of that do you no longer need.

**LEG. ALDEN:**

Okay. Now to get to a broader -- a broader view, I guess, of it. We've appropriated money for road improvements, say six million dollars for road improvements. This wouldn't fall under that six million dollars for road improvements?

**MS. VIZZINI:**

No. Those --

**LEG. ALDEN:**

They're not specific, those were, you know, all over the place. A little bit here, a little bit there.

**MS. VIZZINI:**

I think that six million dollar figure, that's for strengthening and improving County roads. That's your topical resurfacing, pothole filling, that kind of thing. This is specific to turning lanes and reconfiguring for traffic mitigation.

**LEG. ALDEN:**

But roadwork is roadwork.

**MS. VIZZINI:**

No, not -- well, not when you have bond counsel and you have to specify the purpose for which you're bonding.

**LEG. ALDEN:**

Well, the other is not specified. It's just all over the County for strengthening roads.

**MS. VIZZINI:**

But for the same type of work. I know where you're going, but just I want to make sure that you're accurate.

**LEG. ALDEN:**

Thanks.

**P.O. LINDSAY:**

Okay. Anybody else? We have a motion and a second on 1196. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. (Not Present: Legislator Viloría-Fisher)

**P.O. LINDSAY:**

**1196A.** Legislator Cooper's in the room. If you're looking for him, he's over there.

**MR. LAUBE:**

I was looking for Legislator Viloría-Fisher.

**P.O. LINDSAY:**

Oh, okay. 1196A, same motion, same second. Roll call.

**(Roll Called by Mr. Laube, Clerk)**

**P.O. LINDSAY:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. ROMAINE:**

For my Presiding Officer, yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. LOSQUADRO:**

In memoriam, yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Pass.

**LEG. BARRAGA:**

Every man should have one wish granted. Yes.

**P.O. LINDSAY:**

Thank you, Tom. Thank you.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes, for safety.

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. ALDEN:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1197 - Appropriating funds in connection with the improvements to County environmental recharge basins.*

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Browning. Recharge basins, who likes recharge basins?

**LEG. EDDINGTON:**

I'll second it.

**LEG. D'AMARO:**

How much?

**LEG. BROWNING:**

I do.

**P.O. LINDSAY:**

Huh?

**LEG. D'AMARO:**

How much?

**P.O. LINDSAY:**

Well, let's get a second.

**LEG. D'AMARO:**

I'll second it.

**P.O. LINDSAY:**

Second by Legislator Eddington.

**LEG. BEEDENBENDER:**

It's 250,000.

**P.O. LINDSAY:**

Legislator D'Amaro, it's 250.

**LEG. KENNEDY:**

What are they going to do with it?

**LEG. D'AMARO:**

Are there non-environmental recharge basins?

**P.O. LINDSAY:**

No.

**LEG. EDDINGTON:**

Can we name them?

*(\*Laughter\*)*

**D.P.O. VILORIA-FISHER:**

You want a sump named after you?

**LEG. D'AMARO:**

I don't know anything about this.

**MS. VIZZINI:**

This project is \$250,000 for the recharge basins located at six different locations: CR2, Straight Path Road; CR48, Middle Road; CR16, Terry Road, Terry Road at Annette, and a second location, Terry Road at South Avenue; CR85, Montauk Highway at Oakdale Avenue; and CR101 Sills Road at Hewlett Avenue.

**LEG. D'AMARO:**

Thank you. I just wonder whether or not the recharge basins could wait a year, maybe, while we're contemplating financial disaster across the nation and across the County. That's my only thought.

**MS. VIZZINI:**

That's a policy decision on your part. The recharge basins, as you know, collect the rainwater, and they're not in the best of shape to begin with.

**P.O. LINDSAY:**

See, the whole question I've had with these is, and I know I'm going to set Cameron off again, but if we had 477 money, I am of an opinion that this should qualify under Water Quality, because a recharge basin, especially along the South Shore, prevents the water from being dumped right into the bay, you know. And it's a useful way of doing it, but --

**LEG. ALDEN:**

You're not setting me off.

**P.O. LINDSAY:**

Okay.

**LEG. KENNEDY:**

Mr. Chair, could I --

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Yeah. I'm -- maybe, I -- through the Chair, this is to Legislator Beedenbender. Two of the locations that Ms. Vizzini mentioned I know of directly. And, obviously, there are large recharge basins there now, which I've talked at length with DPW specifically about doing some maintenance work on, because they're heavily overgrown, silted, and don't promote recharge, and, as a matter of fact, there's elevated groundwater areas right there. So my question is, obviously DPW is not constructing new basins. Are they proposing to strip them out, desilt them? What's the purpose?

**LEG. BEEDENBENDER:**

Well, on Portion Road, the Portion Road that you and I share, they are actually constructing new ones, along -- and expanding them, along with the reconstruction of Portion Road, one over by Avenue D and one over by Topaz. I think Topaz is your District, or it might be Legislator Lindsay's District, I don't remember.

**P.O. LINDSAY:**

Not mine.

**LEG. KENNEDY:**

No, not mine either.

**LEG. BEEDENBENDER:**

No? It's not yours, all right. Then maybe it's mine and I don't know about it. But, to the extent -- that's what I know about Portion Road. But, in terms of the extra recharge basins, I think it is refurbishing existing ones. I don't think those are in addition. And the money for the ones on Portion Road would be in that 32 million dollar Portion Road Project, but I don't believe that they're constructing new ones. I couldn't speak with any degree of clarity beyond that.

**LEG. KENNEDY:**

Why don't we table this, Bill?

**P.O. LINDSAY:**

You want to table it?

**LEG. KENNEDY:**

Yeah, let's table this one.

**P.O. LINDSAY:**

Make a motion to table.

**LEG. KENNEDY:**

I'll make a motion to table this one.

**P.O. LINDSAY:**

Second that, Legislator D'Amaro?

**LEG. D'AMARO:**

Well, I'll second it. Are we going to look at the 477 funding or -- what's the purpose of tabling?

**LEG. KENNEDY:**

Well, I --

**LEG. BEEDENBENDER:**

Not passing it. Sorry, I was kidding.

**LEG. KENNEDY:**

Again, through the Chair, twofold.

**LEG. D'AMARO:**

Did you table it? I'm sorry.

**LEG. BEEDENBENDER:**

What? Yeah.

**LEG. KENNEDY:**

No, I made the motion to table, Lou.

**LEG. D'AMARO:**

Oh, it was your motion; yeah, through the Chair.

**LEG. KENNEDY:**

I did. I want to find out specifically what the plans are for these two basins in my Legislative District, as far as proposal, maintain, or whatever. I've had work done in them already and there was no specific appropriation to bang against as far as this goes. If there's new construction that's going on, we know about a large Federal stimulus package, but, more importantly, I'd like to look at the alternative for 477 as well.

**P.O. LINDSAY:**

Well --

**LEG. ALDEN:**

There's no money in 477.

**P.O. LINDSAY:**

But trying to connect the dots between the two things you're just talking about, again, I know we have some money coming from the stimulus package to support Labor.

**LEG. KENNEDY:**

Yes.

**P.O. LINDSAY:**

Right? And a couple of years ago, one of the reasons we ran into trouble with 477 is the Federal Labor money dried up. We were going to have to lay off 50 people, and we moved them to environmental slots in other departments. And I think, if I'm not mistaken, I heard this, that there's a movement afoot to try and get those people back in Labor.

**LEG. BEEDENBENDER:**

Yes.

**P.O. LINDSAY:**

Which, if that's the case, it might replenish 477 with projects like this instead of paying for salaries.

**LEG. KENNEDY:**

It makes -- we're all of the same mind, I think, Mr. Chair. It makes a lot of sense.

**P.O. LINDSAY:**

I don't know how far away that is or if it's going to happen, but we'll --

**LEG. BEEDENBENDER:**

Mr. Chairman.

**LEG. KENNEDY:**

Firstly, I don't know how imminent it is to go ahead and strip these pits or dig these pits. We still have quite a ways to go, I think, before these projects move along.

**LEG. BEEDENBENDER:**

What you just mentioned, Mr. Chairman, I got the late-starters, and the County Executive's bill includes the movement of those people back. So, if you're worrying about how imminent that is --

**P.O. LINDSAY:**

Okay.

**LEG. BEEDENBENDER:**

-- the budget bill includes that.

**P.O. LINDSAY:**

So that might be a good reason to table this, to see how that develops.

**LEG. ALDEN:**

Bill.

**P.O. LINDSAY:**

Yes.

**LEG. ALDEN:**

I thought one of the reasons would be to table this is to find out from DPW if they can actually sit there for another year and maybe wait for the work that has to be done, or, if it's critical, to have it done right now. I think --

**LEG. D'AMARO:**

Well, that's my question, also. I mean, how critical is it? You know, how do we set priorities if we don't really know what's happening in the field, I guess.

**P.O. LINDSAY:**

So we have a motion and a second to table?

**LEG. D'AMARO:**

I'll second.

**P.O. LINDSAY:**

Okay. All in favor? Opposed? Abstentions?

**LEG. ROMAINE:**

I'm here.

**P.O. LINDSAY:**

Veterans and Seniors --

**MR. LAUBE:**

Eighteen.

**VETERANS & SENIORS**

**P.O. LINDSAY:**

Veterans and Seniors. ***1062 - Accepting the donation of a Gold Star Families Monument and authorizing the placement and siting of the Gold Star Families Monument in Armed Forces Plaza.*** Legislator Beedenbender?

**LEG. BEEDENBENDER:**

Motion.

**P.O. LINDSAY:**

Motion.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro. All in favor?

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Did this go through that Committee?

**LEG. BEEDENBENDER:**

Yes. It went through the Committee. And just briefly on the motion, Mr. Chairman. I just wanted to say thank you. This is -- we did this in kind of an unusual way. The monument is paid for through omnibus funds through some of my own, Legislator Stern, Legislator Gregory and Legislator Browning, and then they're going to donate it back to us to put it on Armed Forces Plaza. I just wanted to thank them, and it's a good project.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions? Who wants to be a cosponsor?

**LEG. EDDINGTON:**

Cosponsor.

**MR. LAUBE:**

Eighteen.

**LEG. KENNEDY:**

Cosponsor.

**LEG. SCHNEIDERMAN:**

Cosponsor.

**LEG. D'AMARO:**

Cosponsor.

**LEG. LOSQUADRO:**

Cosponsor.

**LEG. ALDEN:**

Cosponsor.

**LEG. BARRAGA:**

Cosponsor.

**LEG. GREGORY:**

Cosponsor.

**LEG. STERN:**

Cosponsor.

**LEG. BEEDENBENDER:**

And there's going to be a groundbreaking in May that everybody will be invited to.

**P.O. LINDSAY:**

*2248 - Adopting a Local Law to promote corporate sponsorship for sale of naming rights of suitable County facilities, parks, and roads.*

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Second by -- who is the second?

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Legislator Cooper.

**LEG. EDDINGTON:**

On the motion.

**P.O. LINDSAY:**

Would "Lindsay's Corner" qualify for that?

**LEG. ALDEN:**

"Lindsay's Corner", that qualifies.

**LEG. D'AMARO:**

It has to be part of a County park, but --

**P.O. LINDSAY:**

Legislator Eddington.

**LEG. EDDINGTON:**

Actually, that's what I was wondering. What's the qualifications?

**LEG. D'AMARO:**

It's really only addressing active and passive parkland right now. I just want to point out that there are layers of review. Any proposed corporate sponsorship of an area or naming of an area would require that it go to the Naming Committee, as we call it euphemistically, as well as the Park Board of Trustees and also back to this Legislature. We get to vet it and make sure that if we are going to

get some revenue in for naming or corporate sponsorship that it's being done appropriately and tastefully and things like that. So there is layers of review.

The bill also sets up a procedure for the Parks Department to find the suitable locations so we don't have to rely on the corporate sponsors to go walking through the parks and looking for places to name. We can come with the locations, and it goes even a little further and says the Parks Department should implement a promotion program to let people know it's out there. So it's a revenue bill. Hopefully we'll be successful with that.

**LEG. NOWICK:**

We're going to name golf carts.

**LEG. ROMAINE:**

They need a \$150 donation for that.

**LEG. BEEDENBENDER:**

Where have I seen that before?

**LEG. ROMAINE:**

Somewhere.

**P.O. LINDSAY:**

Okay. We have a motion and -- oh, Legislator Romaine.

**LEG. ROMAINE:**

Just a quick comment. Some time ago we drafted, or attempted to draft, a similar resolution and we were informed by Counsel that this is already authorized through the Parks Foundation, and I believe the County Executive's Office confirmed that. My Legislative Aide E-mailed Counsel about this and we were told that this type of resolution is totally unnecessary, but maybe George has another take on this.

**MR. NOLAN:**

You know, frankly, I don't remember that conversation. I know the County Executive issued an Executive Order a couple of years ago about naming rights. But this, you know, just sets up, it codifies a process for considering applications for people who want to do naming rights. Honestly, Legislator Romaine, I don't remember that conversation with Bill, but, you know, we could talk about it after the meeting. I don't remember that.

**LEG. ROMAINE:**

Thank you.

**LEG. D'AMARO:**

And, also, I was informed, because I did ask that question, I don't want to put in a bill if we don't need it. I was told there was a desire to do it by the Executive for a few years, but that it could not be done without this resolution, in fact.

**LEG. ROMAINE:**

If you hold up I think he'll come over with a CN that has his name on it, so that that bill will be passed.

**LEG. D'AMARO:**

I would never think of putting unnecessary resolutions in. It's not the thing that I would do, you know, whether we're talking about helicopters or parks, whatever it may be.

*(\*Laughter\*)*

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. D'AMARO:**

Thank you.

**LEG. NOWICK:**

Good one, Lou.

**P.O. LINDSAY:**

*1006 - Directing the County Attorney to examine the feasibility of commencing a sales tax enforcement action against Shinnecock Indian Reservation Smoke Shops.*

**LEG. BROWNING:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Browning.

**LEG. D'AMARO:**

I'll second.

**P.O. LINDSAY:**

Second.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden and then Schneiderman.

**MR. LAUBE:**

Who was recognized as the second? I heard a couple of voices.

**P.O. LINDSAY:**

Motion was by Legislator Browning, and seconded by Legislator Nowick. Was it?

**LEG. NOWICK:**

I did, but it doesn't matter.

**LEG. D'AMARO:**

That's fine.

**P.O. LINDSAY:**

Legislator D'Amaro, excuse me. D'Amaro.

**LEG. ALDEN:**

I asked this question at Committee and didn't get an answer, but is anybody aware of a criminal complaint or any kind of complaint against the Shinnecock Indian Reservation or the smoke shops in regard to this? We're asking to investigate something that -- and I'm just going to take the normal course of events. There's a complaint, then the proper authorities would go out and investigate the complaint, and then if it led to, say, for instance, a finding that, yeah, they were selling illegal

cigarettes, then we could establish damages to us and we might want to bring a lawsuit to recover damages. I'm not so sure where this fits in in that scheme of things. Is there a criminal complaint against or is someone making a criminal complaint against the Shinnecock Indian Reservation smoke shops?

**LEG. BROWNING:**

I can tell you I've had many people say that --

**P.O. LINDSAY:**

Legislator Browning.

**LEG. BROWNING:**

I'm sorry.

**P.O. LINDSAY:**

Go ahead.

**LEG. BROWNING:**

I can tell you that I've had many people tell me that they know for a fact that you can go there, and what's been happening at Poospatuck has been happening at Shinnecock. Why the District Attorney's Office has not addressed the issue with the Shinnecock Reservation, I don't know.

**LEG. ALDEN:**

Somebody would have to ask him if there is a criminal complaint. If they hear a rumor, they're not usually going to go out and waste County taxpayers' dollars to go investigate rumors. They're going to wait until they get an actual complaint.

**LEG. BROWNING:**

Well, you know, this is directing the County Attorney's Office to look at the feasibility of doing it. And, again, there are many people that go to that Reservation, buy cigarettes and don't pay taxes.

**LEG. ALDEN:**

Okay, and I'll say the same thing I said at the Committee meeting. We don't need a resolution directing the County Attorney's Office to do a feasibility study about seeing if there's complaints against the Shinnecock Indian Reservation. You pick up the phone, you call the District Attorney's Office and you find out is there a complaint, "Are you doing an investigation?" "Thanks." And as soon as you get done with that criminal action, we might want to jump on with a civil suit to recover damages.

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah. Just to comment on that. I don't disagree. You could go to the District Attorney and ask for that, but I think it's -- I agree with Legislator Browning. It's well-known that the smoke shops, whether it's the Poospatuck or the Shinnecock, are not collecting the Suffolk County sales tax and remitting it up to the State and we're not getting our share from that. And, you know, to ask the County Attorney's Office to do a feasibility study I think is -- it makes a lot of sense. I mean, we know anyone can go to any of these smoke shops and buy cigarettes. You're not going to pay the tax, we know that, we've done that. Whether or not a criminal complaint is pending or not is really irrelevant to me voting on this bill. I mean, we're losing an awful lot of sales tax revenue because the smoke shops are not collecting the sales tax.

And I just want to also point out I e-mailed to everyone, I don't know if you saw the decision, but we passed the threshold issue of whether or not the smoke shops have sovereign immunity; they do not. They stand exactly in the same position as every other smoke shop in every one of your

districts that are collecting sales tax, and I think this is the proper venue and the proper road to take to start an action. I think you're going to see the feasibility study come back and find that, yeah, this should definitely be commenced as an enforcement action.

**P.O. LINDSAY:**

Mr. Brown, did you want to add to this?

**MR. BROWN:**

The only thing I wanted to add is that we are aware that there have been at least five, and I don't have the details, but at least five arrests by the Southampton Police Department for illegal sales. The Suffolk County Police Department doesn't have jurisdiction over that area. But, again, I don't have the details.

**LEG. MONTANO:**

Say that again?

**MR. BROWN:**

That's Southampton Police Department.

**LEG. MONTANO:**

Oh, Southampton.

**MR. BROWN:**

Yes.

**P.O. LINDSAY:**

Legislator Gregory, then Nowick, Montano and Alden.

**LEG. GREGORY:**

I just wanted to add that I think this an appropriate measure. I actually gave an article, or actually it was an ad, to Legislator Browning that I saw in the Long Island Press, I believe it was, from one of the smoke shops that's advertising to the general public at large. And I think that's proof positive that they're not just selling cigarettes to people on the Reservation, but they're advertising and marketing to the Long Island population.

**P.O. LINDSAY:**

Tax-free cigarettes.

**LEG. GREGORY:**

Absolutely. Bold and brazen out in public.

**P.O. LINDSAY:**

Legislator Nowick.

**LEG. NOWICK:**

I just want to say on the record I'm all for this. I'm voting for it. I'm in favor of anybody that's not paying the proper taxes, but let's not spend this money because once the general public realizes that these cigarettes are not so cheap, they are not going to be out there buying them anymore.

**LEG. ALDEN:**

It doesn't help us anyway.

**LEG. NOWICK:**

No, well, they don't have to out there, though. They go out there because they don't pay taxes.

**LEG. D'AMARO:**

But we'll still get the revenue; we'll still get the tax.

**LEG. NOWICK:**

Absolutely. But they don't have to go out there anymore. But that's ok. I'm all for it.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Are there other cases throughout New York State pending on this issue?

**MR. BROWN:**

I only know anecdotally, and the answer is yes. I'm not familiar with the details of those cases or the exact status of any of those cases, but I know that there have been -- other cases have been brought Upstate.

**LEG. MONTANO:**

Do you know if we bring an action, are we entitled to counsel fees if we succeed on this action?

**MR. BROWN:**

I'm not familiar.

**LEG. MONTANO:**

Is there -- do you know of whether or not these actions can be consolidated into one action, because it really is the same issue across the, you know, across -- I think, am I correct in that?

**MR. BROWN:**

I don't know about that, because with respect to standing for each particular suit, it might be unique to the County that's losing the revenue.

**LEG. MONTANO:**

All right. I didn't read the case that Legislator D'Amato sent over, but I got the impression that the standing was across the board, or would be applied across the board.

**MR. BROWN:**

You might be right. I'm not familiar with the case.

**LEG. MONTANO:**

I don't want to belabor it. The point I'm making is that rather than tie up resources individually on piecemeal litigation, one of the things that I would ask is to look at the approach of consolidation with some other municipalities and maybe, you know, you can sort of tag along on or work out some kind of arrangement to not tie up our resources here.

**MR. BROWN:**

Yeah, we can look at that approach, no problem.

**LEG. MONTANO:**

Would you just mention -- would you take a look at that in your report?

**MR. BROWN:**

Sure, I'll talk to the County Attorney about it. No problem.

**P.O. LINDSAY:**

Hold on. I'm sorry. Legislator Alden has a question for Mr. Brown.

**LEG. ALDEN:**

So, Mr. Brown, you testified before that you're aware of at least five arrests that were made by Southampton Town?

**MR. BROWN:**

I believe that's correct, yes.

**LEG. ALDEN:**

Who prosecutes in Southampton Town?

**MR. BROWN:**

For those violations I'm not really sure, it could be the Suffolk County District Attorney. It's a State issue. I don't think the Attorney General's involved.

**LEG. ALDEN:**

When did you become aware of those five arrests?

**MR. BROWN:**

I just know about it anecdotally.

**LEG. ALDEN:**

Okay. So as a County Attorney or an Assistant County Attorney, you became aware that arrests were made where the County was not getting it's fair share of sales tax and you did what?

**MR. BROWN:**

Well, you have this resolution pending. The original complaint was -- the original resolution was that an action be commenced. I know of these cases anecdotally. I don't know when the County Attorney found out about the arrests, but I know that she was waiting for -- in order to bring a complaint, the attorney has to sign off on it that the facts alleged are verified -- to verify them as true. I know that she was waiting on this resolution so that she could undertake the investigation and then verify the complaint when she has done that investigation that can reasonably establish liability.

**LEG. ALDEN:**

So if the County Attorney becomes aware of whether it's a criminal act or civil act, and we're not -- where we're being cheated, basically, out of our sales tax or any other type of monies due the County, you would wait for a resolution before you actually proceeded along with some kind of action?

**MR. BROWN:**

Well, you know, like I said, I don't know when she knew that the information -- when she became aware of the information. The information I'm telling you, I'm telling -- I'm telling you about it because I know of it anecdotally. And I am sure that the County Attorney will take whatever steps are necessary to protect the County interest.

**LEG. ALDEN:**

Just go ahead, chronologically. We pass this, and then what are you going to do, call the D.A. because you're authorized by this resolution to now start an investigation?

**MR. BROWN:**

Well, I believe that the resolution, it speaks to a civil action, and I'm not sure about the criminal aspect of it as well. But, again, at the risk of repeating myself, I'm sure that the County Attorney will take the steps that are necessary in order to commence the action to protect the County's interest, and I'm sure that she'll do that forthwith.

**LEG. ALDEN:**

But I'm confused as far as if we knew that the County's interests were being violated why we would

need a resolution to go forward with that. But putting that aside, this resolution authorizes you to take steps to make a determination if we should commence some kind of action, right?

**MR. BROWN:**

Right.

**LEG. ALDEN:**

What's the first step you're going to do when this is passed? So this resolution comes to you. How are you going to determine whether an action should be commenced? You are going to call the D.A.'s Office and see if there was arrests are made, are there cases pending? Is that what you are going to do?

**MR. BROWN:**

You're asking me a hypothetical. I can't answer that question as to what steps the County Attorney will --

**LEG. ALDEN:**

Right, a hypothetical on how you protect the County's interest. That's really what the question boils right down to.

**MR. BROWN:**

Well, the way the County's interests are protected in any case is that a complaint is drawn up, allegations are made, and the attorney drafting the complaint signs off attesting to the -- attesting to the facts of that case, and that they're reasonably true. And those are the steps that the County -- and that's what the County Attorney will do.

**LEG. ALDEN:**

And in this case you need --

**MR. BROWN:**

What exactly she will do, whether it be commencing tomorrow or what she has done so far to date in order to draft such a complaint, I don't have that information.

**LEG. ALDEN:**

So, in this case, you needed to wait for a resolution to protect the County's interests. Thanks.

**P.O. LINDSAY:**

Okay. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

First, maybe, Dennis, you should stay up there because I don't understand why the County Attorney if you have this information, anecdotal or otherwise, could not investigate without this. But as I look at the resolution and the whereas's in the title and knowing there are, you know, hundreds of people who live at the Shinnecock Reservation or are associated with that Reservation, there's a suggestion that they may be engaging in unlawful activity. And we haven't even had the opportunity to have the Shinnecoeks come here.

I would like to make a motion to table. I will invite representatives who I've met with at the Shinnecock reservation who have distinguished their practices from what the Poospatucks were doing. Give them an opportunity to be heard before you go ahead and direct the County Attorney to investigate the feasibility of bringing an action against them. I think it's only fair to these people because there is in reading it the feeling that we've already decided that they're doing something wrong, and they certainly don't believe they're doing anything wrong, and I think they should be heard. So I will make a motion to table.

**P.O. LINDSAY:**

We've got a motion to table. Legislator D'Amaro.

**LEG. D'AMARO:**

Well, just in response to that. It's really important that you distinguish between the smoke shops and the Nation that we're talking about. And if you read the case that I e-mailed the other day, it makes exactly that point. What's happened is that these smoke shops are not even an arm of the Tribe itself, they are not an extension of the Tribe, they are not a business affiliated with the Shinnecocks or with the Poospatuck, they're merely licensed by the tribe. The revenue derived by these smoke shops is not benefitting the Tribe and it is not benefitting the members, okay? So to ask the Tribe leaders, I guess, to come here and talk about it, I don't know what they'll say.

**LEG. SCHNEIDERMAN:**

Well, you can find out if we can wait a month.

**LEG. D'AMARO:**

But it's very clear that these smoke shops are operating independent of the Tribe and, in fact, are not sharing that revenue. Okay? That's number one.

Second of all, this resolution does not say start the action. It just simply says is it feasible. In other words, I guess as Mr. Brown says, can we make -- can an attorney sign off on a complaint with a reasonable belief that the allegations are true? That's the easy part. You don't need any resources to do that investigation. You go out, you make a couple of sales. I know the County Attorney's Office has investigators that can do that. They can submit the necessary affidavits.

We are losing an awful lot of revenue because of this. And you know what, Legislator Schneiderman, if it was benefitting the tribes themselves and the revenue was being shared, I would agree with you to bring them in and hear what they have to say, but it's not, and that's well, well documented, well documented.

Now, by the way, just on my bill, when we passed my bill, you did have the Chief come in and claim sovereign immunity, but the Chief was a smoke shop owner; okay? So that's an inherent conflict in my mind. And as it turns out the courts dismissed that argument anyway.

I would really urge us to pass this bill today because, you know, we had 300 County employees here today that are asking us to find revenue in other ways. This is it. This is it, because if the -- if the actions are started and the sales tax is collected, it doesn't have to be collected at the smoke shops. People are not going to drive 30 miles to the smoke shops anymore. They're going to buy them in their neighborhoods, and you know what? We're going to get the sales tax because of that. It's important stuff.

**P.O. LINDSAY:**

Legislator Schneiderman, do you want to follow up?

**LEG. SCHNEIDERMAN:**

I just respectfully request that we give these individuals who are, you know, some of the, you know, the longest residents of Suffolk County, and long before Suffolk County, an opportunity to be heard on this. That one cycle is not a long time before we act on this resolution. I don't think that's unreasonable to wait one month.

**P.O. LINDSAY:**

You made a motion to table?

**LEG. SCHNEIDERMAN:**

I make a motion to table.

**P.O. LINDSAY:**

Legislator Browning, do you want to second the motion to table?

**LEG. BROWNING:**

No.

**P.O. LINDSAY:**

Okay.

**LEG. BROWNING:**

I do want to let you know that this bill was laid on the table in January. They could have been here February if they wanted to be here to speak on it. They didn't, so that's -- I want to move it.

**P.O. LINDSAY:**

Okay. We have a tabling motion; looking for a second. Anybody want to second Legislator Schneiderman's motion? Nope? Fails for a second. We have a motion to approve and a second. All in favor? Opposed? Abstentions?

**LEG. ROMAINE:**

Abstain.

**LEG. SCHNEIDERMAN:**

Abstain.

**LEG. HORSLEY:**

I'll abstain, too.

**LEG. ALDEN:**

Opposed.

**MR. LAUBE:**

Anyone else? I've got 14. (Opposed: Legislator Alden; Abstentions; Legislators Romaine, Schneiderman and Horsley)

**P.O. LINDSAY:**

***1128 - Sale of County-owned real estate pursuant to Local Law No. 13-1976 Frank J. Santo and Irene Santo, his wife.***

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro. Do I have a second?

**LEG. GREGORY:**

Second.

**P.O. LINDSAY:**

Second by Legislator Gregory. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1142 - Sale of County-owned real estate pursuant to Local Law 13-1976 Delson Equities Corp.*** Can we do same motion, same second, same vote.

**LEG. D'AMARO:**

Yeah, just for your information. It's a 50 by 100 in Brookhaven and it's too small for any kind of workforce housing. It doesn't conform to the character of the neighborhood. We did ask that question, that bill is in place, but this doesn't fit in.

**P.O. LINDSAY:**

Okay. So same motion, same second fits?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

All right. *1158 - Authorizing the extension of a lease of County premises located at the Honor Farm in the Town of Brookhaven, New York, for the use by Long Island Lighting Company doing business as LIPA.*

**LEG. D'AMARO:**

I'll offer a motion to approve.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Motion to approve by Legislator D'Amaro, second by Legislator Viloría-Fisher. Any questions? Seeing no questions, all in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1195 - Authorizing certain technical corrections to the 2009 Adopted Operating Budget for the Family Counseling Services.*

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Schneiderman.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. (Not Present: Legislator Montano)

**P.O. LINDSAY:**

*1198 - Authorizing the lease of premises located at 3500 Sunrise Highway, Great River, New York, for use by the Department of Social Services.*

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro, second by Legislator Beedenbender.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

I was hoping somebody from the County Executive's office could just put on the record what the purpose of this lease is for? It's not for access by the public, it's strictly for support services and there is not intention of actually having a facility that would be accessed by the public?

*(\*The following was Taken & Transcribed by  
Alison Mahoney - Court Stenographer\*)*

**MR. BROWN:**

Good evening. To my knowledge, this is being paid for, 100% Medicaid money which the Legislature added in the Omnibus process with a separate resolution. So it's completely being paid by the Federal government and it's for the extra people that we put on to --

**P.O. LINDSAY:**

That wasn't the question. The question was is this a site with public access or is this a back-office type of operation?

**MR. BROWN:**

I don't know that answer.

**MS. VIZZINI:**

Mr. Presiding Officer?

**MR. BROWN:**

Back office, I would say.

**P.O. LINDSAY:**

Okay.

**LEG. ALDEN:**

Absolutely not public access, right?

**P.O. LINDSAY:**

Right.

**LEG. ALDEN:**

No intention --

**P.O. LINDSAY:**

Right.

**LEG. ALDEN:**

Good.

**P.O. LINDSAY:**

Did you want to add to that, Ms. Vizzini?

**MS. VIZZINI:**

Only that as a member of the Space Committee, Legislator Beedenbender and I serve there, that administrative staff in Medicaid, 100% reimbursed Medicaid, are being transferred to this location so that the Examiners and what have you, the new positions that you created, will go to where they were. So this is purely administrative and we were assured by the department of the same concerns; it is not public access, it is administrative personnel.

**LEG. ALDEN:**

Thank you.

**P.O. LINDSAY:**

We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

Okay, you don't want to do the Home Rules?

**MR. NOLAN:**

We were supposed to do this at 8:50.

**P.O. LINDSAY:**

Okay. We had set a notice before for a Public Hearing we were supposed to hold at 8:50 and we didn't, and I have it -- does everybody have this?

**MR. NOLAN:**

It's in the CN packet.

**P.O. LINDSAY:**

It's notice hereby given that Local Law entitled a Local Law amending Resolution No. 154-2009, a Local Law establishing a Toxin-Free Toddlers & Babies Act has been introduced, Suffolk County Legislature. This proposed Local Law would amend recently enacted 154-2009, to clarify that the law's prohibition applies only to unfilled containers that contain BPA." That's the only change in the bill; am I right, Legislator Stern, and you're all right with it?

**LEG. STERN:**

Yes, we're good.

**P.O. LINDSAY:**

Okay. We have -- is there anybody in the room that would like to testify on this Public Hearing? Seeing none, Legislator Stern?

**LEG. STERN:**

Motion to close.

**P.O. LINDSAY:**

Motion to close.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

It stands closed.

Going back to the agenda, *Home Rule No. 1, Requesting the State of New York to amend the Tax Law in relation to authorizing the County of Suffolk to elect to be exempt from certain taxes related to any hybrid, fuel-efficient, alternative-fuel, clean-fuel or electric motor vehicles, it applies to Assembly Bill 3159.* Legislator Romaine?

**LEG. ROMAINE:**

Motion to approve.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. LOSQUADRO:**

I think I'm on there already, but cosponsor.

**P.O. LINDSAY:**

*Home Rule No. 3, Requesting the State of New York to amend the Tax Law in relation to authorizing the County of Suffolk to select -- to elect to be exempt from certain taxes related to any energy saving florescent light bulbs, Assembly Bill 3149.* Legislator Romaine?

**LEG. ROMAINE:**

Motion to approve.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Motion to approve, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

The agenda stands done.

Okay, let's go to Vetos.

**LEG. ALDEN:**

They're in the packet?

**P.O. LINDSAY:**

Yes, they're in the manilla envelope. The first one is a *veto of Resolution 101-2009, Directing the Department of Public Works to issue an RFP to perform a study on the delivery of Police services in Suffolk County*, vetoed in its entirety. Do I have a motion on this veto?

**LEG. BEEDENBENDER:**  
Motion.

**P.O. LINDSAY:**  
And the motion is?

**LEG. BEEDENBENDER:**  
To override.

**P.O. LINDSAY:**  
To override, oh. Okay, we have a motion to override. Do we have a second?

**LEG. D'AMARO:**  
Yes.

**P.O. LINDSAY:**  
Second by Legislator D'Amaro. On the question, anyone? No?

**LEG. BEEDENBENDER:**  
As debated.

**P.O. LINDSAY:**  
Okay. All in -- or, we've got to do a roll call? Roll call.

*(\*Roll Called by Mr. Laube - Clerk of the Legislature\*)*

**LEG. BEEDENBENDER:**  
Yes.

**LEG. D'AMARO:**  
Yes; sorry.

**LEG. ROMAINE:**  
No.

**LEG. SCHNEIDERMAN:**  
No.

**LEG. BROWNING:**  
Yes.

**LEG. LOSQUADRO:**  
No.

**LEG. EDDINGTON:**  
Yes.

**LEG. MONTANO:**  
Yes.

**LEG. ALDEN:**  
No.

**LEG. BARRAGA:**  
No.

**LEG. KENNEDY:**

No.

**LEG. NOWICK:**

No.

**LEG. HORSLEY:**

No.

**LEG. GREGORY:**

No.

**LEG. STERN:**

No.

**LEG. COOPER:**

No.

**D.P.O. VILORIA-FISHER:**

No.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Six.

**P.O. LINDSAY:**

Okay. Next one, *authorizing the Department of Parks, Recreation & Conservation to plan and design a dog park at Southaven County Park, it's Resolution No. 143.*

**LEG. BROWNING:**

Motion to override.

**P.O. LINDSAY:**

Motion to override by Legislator Browning. Do I have a second?

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Cooper. On the question, anyone? Okay.  
Roll call.

*(\*Roll Called by Mr. Laube - Clerk of the Legislature\*)*

**LEG. BROWNING:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

No.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Pass.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

No.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**D.P.O. VILORIA-FISHER:**

No.

**P.O. LINDSAY:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**MR. LAUBE:**

Thirteen.

**LEG. BROWNING:**

It's still thirteen.

**LEG. ALDEN:**

We have to wait an hour?

**P.O. LINDSAY:**

No, we've still got some work to do. Okay, we have -- is this Procedural?

**MR. NOLAN:**

Yeah.

**P.O. LINDSAY:**

Okay, we have two Procedural Motions --

**MR. NOLAN:**

No, no, no, no.

**P.O. LINDSAY:**

No, this isn't Procedural.

**MR. NOLAN:**

No, Nos. 6 and 7.

**P.O. LINDSAY:**

Okay, *Procedural Motion No. 6*, it should be in your packet, *approving partial settlement of MTBE litigation with defendants Gulf Oil, Limited Partnership and Cumberland*, and we get, what, another \$19,000.

**MR. NOLAN:**

Yeah, this is -- we're cleaning up the end of the MTBE case. We're settling with small defendants, this has been recommend by our outside Counsel.

**LEG. ALDEN:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Alden. I'll second it. On the motion, anybody? Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

The Water Authority probably gets another \$19 million.

**LEG. ALDEN:**

They wish.

**P.O. LINDSAY:**

And then they get a bonus.

(\*Laughter From Panel\*)

**LEG. ALDEN:**

Do we get bonuses for that legislation?

**LEG. ROMAINE:**

Bonuses for all, AIG included.

**P.O. LINDSAY:**

*Procedural Resolution No. 7, Authorizing funding for Community Support Initiatives.*

**LEG. ROMAINE:**

I don't have it.

**P.O. LINDSAY:**

Oh, you don't have it?

**LEG. LOSQUADRO:**

I got it.

**P.O. LINDSAY:**

You got it.

**D.P.O. VILORIA-FISHER:**

It's in the folder.

**P.O. LINDSAY:**

And these are all part of what's been budgeted, right?

**MR. NOLAN:**

This is all the CSI money, this is the first batch.

**P.O. LINDSAY:**

Yep, okay. Legislator Beedenbender, you want to make a motion?

**LEG. BEEDENBENDER:**

Motion.

**P.O. LINDSAY:**

Legislator Alden, you want to second it?

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Is this active?

**MR. NOLAN:**

That's revised, just ignore that.

**P.O. LINDSAY:**

Okay, CN's.

**LEG. ALDEN:**

Back to CN's.

**LEG. NOWICK:**

Did we do the cell tower?

**D.P.O. VILORIA-FISHER:**

What about the cell tower one for the Vanderbilt?

**LEG. MONTANO:**

Yeah, what about 1255?

**MR. NOLAN:**

That's just an updated copy, it's in the next packet, you know, it's going to go through the next cycle.

**D.P.O. VILORIA-FISHER:**

Oh, it's under Laid on the Table? Oh, I see.

**P.O. LINDSAY:**

Okay. *CN No. 1260-09 - Accepting and appropriating a 100% reimbursed grant for the U.S. Department of Housing & Urban Development for a Neighborhood Stabilization Grant and authorizing the County Executive to execute the agreements.*

**LEG. BROWNING:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Browning.

**D.P.O. VILORIA-FISHER:**

Second.

**LEG. ROMAINE:**

I'll second.

**P.O. LINDSAY:**

And second by Legislator Viloría-Fisher.

**LEG. KENNEDY:**

Do we have any local share on this?

**P.O. LINDSAY:**

Do we have any local share? We must, otherwise --

**D.P.O. VILORIA-FISHER:**

It says 100%

**LEG. BROWNING:**

Joe Sanseverino is here, if you want him to explain it.

**LEG. ROMAINE:**

No, no. It's \$5 million.

**P.O. LINDSAY:**

It's \$5 million, 100%, why would we --

**LEG. BROWNING:**

Oh, that's right, it's the five million. I'm losing it.

**P.O. LINDSAY:**

Joe, do you want to tell us anything, besides "Take the money and run"?

**D.P.O. VILORIA-FISHER:**

Besides "It's about time you got to it"?

**LEG. ROMAINE:**

Take the money and run.

**LEG. BROWNING:**

Take the money and run is right.

**P.O. LINDSAY:**

Is this what you've been hanging out for, Joe?

**D.P.O. VILORIA-FISHER:**

Yes.

**MR. SANSEVERINO:**

Pretty much.

**P.O. LINDSAY:**

Why didn't you say so? We would have done this earlier.

**LEG. ALDEN:**

We could have moved you up 15, 20 minutes.

**D.P.O. VILORIA-FISHER:**

Michele's been hanging around for the next one.

**MR. SANSEVERINO:**

I'm just glad it's not a bond issue. This is a grant that we receive from the Federal Government to acquire and rehabilitate foreclosed properties in designated areas in the County. We'll be working with the Long Island Housing Partnership, Community Development Corporation of Long Island and the Town of Brookhaven to implement this particular program.

This is part of the first stimulus package that the Federal Government passed. They're pretty much fast-tracking anything that has to do with stimulus and that's why the necessary -- we needed to have a CN to get this through, they would like to have the contracts back by the 1st of April. They only awarded the grant March 12th.

**P.O. LINDSAY:**

I'm going to reverse this. Does anybody not want \$5 million?

**LEG. ALDEN:**

No, we want it.

**P.O. LINDSAY:**

Okay. But this sounds vaguely familiar, Legislator Romaine.

**LEG. ROMAINE:**

Well, Yes. I've had legislation in in the Fall to apply for this and that got shot down, and then I had legislation in directing this and talking about some criteria.

**LEG. HORSLEY:**

You're time has come.

**LEG. ROMAINE:**

The one thing that I don't understand, and Joe knows this because I've had some conversation and some people on my staff have had conversations, is they've targeted certain areas and not other areas. They did not contact the County Clerk's Office which is the fountain of information for lis pendens and foreclosures. And they've targeted areas that, true enough, have foreclosures, but they've targeted other areas -- they have not targeted other areas that do have foreclosures and are in critical situations.

On a per capita basis, the highest foreclosure rate is not in the Mastic/Shirley area, although they have very many of them, but actually in Ridge, of which I represent part of and Dan represents part of and Kate represents part of. And then they left out totally Riverside and Flanders which has a very high foreclosure rate, and they now look at the foreclosure rate by going to the County Clerk's Office, turning on their computer because they can get this all on-line and find out actually how many foreclosures exist by census cracking community and target those communities. They picked some of the culprits in this, which I believe is Coram, Gordon Heights, North Bellport, Mastic/Shirley, Mastic Beach; typical, but there's also foreclosures exist in greater number on a per capita basis in other areas of the County. And I just want to point out that flaw and that's why I introduced my bill. I'm not opposed to this funding, but I just don't think it's being targeted to all the areas that could actually benefit.

And lastly, I want to say that this is exactly what our Affordable Housing Program should look like. I know there's some talk about spending our Affordable Housing Program to build a thousand units in one place in Yaphank. Look, there may have been a time when that was the right way to go, but any additional affordable housing money, non Federal that is County that we have should be applied to purchasing foreclosures in targeted areas throughout the County of Suffolk, where we work with not-for-profits to buy foreclosures at deep discounts, rehab them and make them available to first-time home buyers, to veterans and emergency service operators.

So I just want to put that on the record which is one of my reasons for introducing the bill. I definitely support this, I just wish they had taken a different approach to gathering the data and actually gone to the source of the data, which is the County Clerk's Office, and not using -- I think they used Long Island Profiles which is a service instead of going and looking where the data really resides. Thank you.

**P.O. LINDSAY:**

Joe, would you like to comment on that?

**MR. SANSEVERINO:**

Basically, when we put this together we were directed by HUD to go to areas of greatest need; HUD supplied us with the data as to what areas are of greatest need. They did a ranking of communities and areas and that's how we focused our approach, as well as we did use Suffolk profiles to get additional information on numbers of units that are in foreclosure. And that's the reason that we used that approach.

**P.O. LINDSAY:**

Legislator Kennedy and then Vilorio-Fisher.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Joe, so how do we find that out? I mean, we've had conversations before when we talk about access for -- like the CDBG money and things like that. All of us have areas or pockets in our Legislative Districts where we've got concentrations of foreclosures. Do we contact you, are you letting us know? How does a foreclosed house actually make it's way to this program

now?

**MR. SANSEVERINO:**

Well, the way the program operates, we've been basically given the areas to operate them by the Federal Government; they have decided that these are areas of greatest need. That's how we selected the areas, primarily. What happens now is in this program, we now have to go to the banks in those -- where there are foreclosures in those particular neighborhoods. So --

**LEG. KENNEDY:**

Joe, you're going to wait forever. I just waited five months for INDYMAC to approve a short sale; that's impossible.

**MR. SANSEVERINO:**

Yeah. We've been working already with the banks, we've started doing that. Actually, tomorrow I'm going to meet with -- there's a national group that has put together a process to acquire property from the banking institutions, so we have been working with them to identify properties in communities to see what's available. It has been -- and I agree with you on one very important point, it has been extremely difficult to get the banks to cooperate. But that's the way the program has been set up by the Federal Government. And on top of that, Legislator Kennedy, we have to actually buy the properties at a discount of 15% which makes it even more difficult in negotiating with the banks.

**LEG. KENNEDY:**

Okay. Thank you.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

We're going to buy them at discounts. Sometimes when you get a foreclosure it involves terminating a tenancy; are we --

**MR. SANSEVERINO:**

I'm not planning to buy any properties that have anybody living in them.

**LEG. ALDEN:**

Good, because that really doesn't reflect well on Suffolk County, when you throw somebody out in the street.

**MR. SANSEVERINO:**

Right, that would not be something we'd want to do.

**P.O. LINDSAY:**

Okay. The other question I have, Joe, is we foreclose on properties all the time and we sell them at auction. Why -- instead of buying properties, why don't we go through our own inventory first and rehab them and see if we can turn around and sell them?

**MR. SANSEVERINO:**

Actually, that's something that we are looking at. I actually approached the Federal government with the idea of buying -- using these funds to reimburse the County for back taxes that we've made other entities whole on.

**P.O. LINDSAY:**

Well, we wouldn't even need that. I mean, we could recover that when we sell it. But I mean, if we own the property, all we'd need is rehab money, right?

**MR. SANSEVERINO:**

Right, that's correct. And we do have a program similar to that, we work with some of the non-profits where we do provide those units.

And we are looking into whether or not that's a doable thing to do under the Suffolk County Tax Law where we can transfer the money, the properties directly to the non-profits for renovation purposes.

**P.O. LINDSAY:**

But this program is -- says you have to buy them from the banks.

**MR. SANSEVERINO:**

It doesn't say -- you don't have to buy them from a bank, you can get them from the County. But what I was trying to do was the Suffolk County Tax Law may not allow us to take those properties directly, that's something that's being researched now.

**P.O. LINDSAY:**

All right.

**MR. SANSEVERINO:**

If that's -- your idea is excellent if I can do it.

**P.O. LINDSAY:**

It would just get more bang for a buck if we already owned the property and instead of auctioning it of, just use the rehab money. You know, you can really turn around and --

**LEG. ALDEN:**

We might be eligible for some of those block grants.

**P.O. LINDSAY:**

All right. Anybody else?

**D.P.O. VILORIA-FISHER:**

Nope. We have a motion and a second.

**P.O. LINDSAY:**

We have a motion and a second. All in favor? Opposed? Abstentions? Thank you, Joe. I'm sorry you had to wait.

**MR. LAUBE:**

Eighteen.

**MR. SANSEVERINO:**

Thank you very much.

**P.O. LINDSAY:**

Okay. The next one we have is ***1263-09 - Authorizing the use of the H. Lee Dennison Building for filming of a motion picture.***

**LEG. ALDEN:**

You know somebody is going to weasel their way into that.

**D.P.O. VILORIA-FISHER:**

Motion to approve for my friend Michele to go home.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Who made the motion?

**D.P.O. VILORIA-FISHER:**

I did.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher. Seconded by?

**D.P.O. VILORIA-FISHER:**

Cooper.

**LEG. COOPER:**

By me.

**P.O. LINDSAY:**

Legislator Cooper. Does anybody want to know anything about this?

D.P.O. VILORIA-FISHER:

No, it was all in the papers.

**LEG. BROWNING:**

Question.

**LEG. ROMAINE:**

No, but if you look close, there's somebody in a janitor's uniform that we might recognize, sweeping the floor.

**LEG. ALDEN:**

Keep the County Executive out of the movie.

**LEG. SCHNEIDERMAN:**

Is there going to be -- on the motion. Will there be any interruption to the normal functioning of the County?

**D.P.O. VILORIA-FISHER:**

Who said it's normal functioning?

**LEG. SCHNEIDERMAN:**

The abnormal functioning of the County. Will the filming interfere with the ability of the County to do its job, basically?

**D.P.O. VILORIA-FISHER:**

Come on, let's go so she can go home.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

I'm sorry, Michele. I wish you would have told me, I would have moved you up, all right?

Okay, we're back to **1270** which was the purpose of the Public Hearing. Do I have a motion? ***This***

*is to change the BPA law.*

**LEG. STERN:**

Motion to approve.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Stern, second by Legislator D'Amaro.  
All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, *1271-09 - Calling for a Public Hearing for the purpose of considering proposed increases and improvements to facilities for Sewer District No. 21 - SUNY.*

**D.P.O. VILORIA-FISHER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher. Do I have a second?

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. I need -- I'm going to make a motion to waive the rules and lay on the table the following *Late Starters:*

1252 to Parks & Recreation. I'm not going to read the titles, is that all right?

**D.P.O. VILORIA-FISHER:**

Yes.

**P.O. LINDSAY:**

Budget & Finance to 12 -- 1253 to Budget & Finance; 1254 to Parks & Recreation; 1255 to Parks & Recreation; 1256 to Parks & Recreation; 1257 to Public Safety; 1258 to Economic Development, Education & Energy; 1259 to Public Works. Do we have a 1260? 1261 to Economic Development, Education & Energy; 12 --

**MR. NOLAN:**

We did that one. We voted 1262.

**P.O. LINDSAY:**

Okay, 1262 we don't have to do, we've already adopted it. Do we have a 1263?

**MR. NOLAN:**

No.

**P.O. LINDSAY:**

No 1263. 1264 to Public Works; 1265 to EPA; 1266 to EPA; 1267 to Ways & Means; 1268 to Public Works; 1269 to Public Works; 1272, is that right?

**MR. NOLAN:**

1272 you can do.

**P.O. LINDSAY:**

1272 to Economic Development, Education & Energy; 1273 to Parks & Recreation and set the Public Hearing for 4/28 at 2:30 in Hauppauge; 1274 to Public Works; 1275 to Economic Development, Education & Energy; 1276 to Economic Development, Education & Energy; 1277 to Public Safety; 1278 to Public Works; 1279 to Budget & Finance; 1280 to Public Works; 1281 to Public Safety and setting the Public Hearing for 4/28, 2:30 in Hauppauge; 1282 to Consumer Protection, set the Public Hearing, 4/28, 2:30 in Hauppauge; 1283, Budget & Finance, set the Public Hearing, 4/28, 2:30 in Hauppauge; 1284 to Budget & Finance; Home Rule Message No. 5 to Public Safety; Home Rule Message -- no, Procedural Motion No. 8 to Health & Human Services, and that is it. Do I have a second to that motion?

**D.P.O. VILORIA-FISHER:**

Second.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**LEG. BEEDENBENDER:**

Motion to adjourn.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Motion to adjourn by Legislator Beedenbender, seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? We stand adjourned.

**MR. LAUBE:**

Eighteen.

*(\*The meeting was adjourned at 9:39 PM\*)*

{ } - Denotes Spelled Phonetically